

# MAINE STATE LEGISLATURE

The following document is provided by the  
**LAW AND LEGISLATIVE DIGITAL LIBRARY**  
at the Maine State Law and Legislative Reference Library  
<http://legislature.maine.gov/lawlib>



Reproduced from electronic originals  
(may include minor formatting differences from printed original)

*State Of Maine  
122nd Legislature*

*First Regular Session and  
First Special Session*

*Bill Summaries*

*Joint Standing Committee  
on  
Legal and Veterans' Affairs*

*August 2005*

**Members:**

*Sen. Kenneth T. Gagnon, Chair  
Sen. Elizabeth H. Mitchell  
Sen. Debra D. Plowman*

*Rep. John L. Patrick, Chair  
Rep. John L. Tuttle, Jr.  
Rep. Charles D. Fisher  
Rep. Patricia A. Blanchette  
Rep. Linda M. Valentino  
Rep. Randy E. Hotham  
Rep. Richard B. Brown  
Rep. Gary W. Moore  
Rep. David N. Ott*

*Rep. Wright H. Pinkham, Sr.  
Rep. Frederick J. Moore, III*

**Staff:**

*Danielle D. Fox, Legislative Analyst  
Curtis Bentley, Legislative Analyst*

*Office of Policy and Legal Analysis  
13 State House Station  
Augusta, ME 04333  
(207) 287-1670*



Maine State Legislature

OFFICE OF POLICY & LEGAL ANALYSIS

13 State House Station, Room 215 Cross State Office Building
Augusta, Maine 04333-0013
Telephone: (207) 287-1670
Fax: (207) 287-1275

122nd Legislature
First Regular Session and First Special Session

Summary of Legislation Considered by the Joint Standing Committees
August 2005

Enclosed please find a summary of all bills, resolves, joint study orders, joint resolutions and Constitutional resolutions that were considered by the joint standing select committees of the Maine Legislature this past session. The document is a compilation of bill summaries which describe each bill and relevant amendments, as well as the final action taken. Also included are statistical summaries of bill activity this session for the Legislature and each of its joint standing committees.

The document is organized for convenient reference to information on bills considered by the committees. It is organized by committees and within committees by bill (LD) number. The committee report(s), prime sponsor for each bill and the lead co-sponsor(s), if designated, are listed below each bill title. All adopted amendments are listed by paper number. A subject index for each committee is included immediately before the bill summaries for that committee, and a numerical index by LD number is included at the back of the document. A separate publication, History and Final Disposition of Legislative Documents, may also be helpful in providing information on the disposition of bills. These bill summaries also are available at the Law and Legislative Reference Library and on the Internet (www.state.me.us/legis/opla).

Final action on each bill is noted to the right of the bill title. The abbreviations used for various categories of final action are as follows:

- CARRIED OVER ..... Bill Carried Over to Second Regular Session
CON RES XXX..... Chapter # of Constitutional Resolution passed by both Houses
CONF CMTE UNABLE TO AGREE..... Committee of Conference unable to agree; bill died
DIED BETWEEN BODIES..... House & Senate disagree; bill died
DIED IN CONCURRENCE..... One body accepts ONTP report; the other indefinitely postpones the bill
DIED ON ADJOURNMENT..... Action incomplete when session ended; bill died
EMERGENCY..... Enacted law takes effect sooner than 90 days
FAILED EMERGENCY ENACTMENT/FINAL PASSAGE..... Emergency bill failed to get 2/3 vote
FAILED ENACTMENT/FINAL PASSAGE..... Bill failed to get majority vote
FAILED MANDATE ENACTMENT..... Bill imposing local mandate failed to get 2/3 vote
NOT PROPERLY BEFORE THE BODY..... Ruled out of order by the presiding officers; bill died
INDEF PP..... Bill Indefinitely Postponed
ONTP..... Ought Not To Pass report accepted
OTP ND..... Committee report Ought To Pass In New Draft
OTP ND/NT..... Committee report Ought To Pass In New Draft/New Title
P&S XXX..... Chapter # of enacted Private & Special Law
PUBLIC XXX..... Chapter # of enacted Public Law
RESOLVE XXX..... Chapter # of finally passed Resolve
UNSIGNED..... Bill held by Governor
VETO SUSTAINED..... Legislature failed to override Governor's Veto

Please note the effective date for all non-emergency legislation enacted in the First Regular Session (unless otherwise specified in a particular law) is June 29, 2005; and for non-emergency legislation enacted in the First Special Session is September 17, 2005.

*Joint Standing Committee on Legal and Veterans' Affairs*

**LD 706**                      **An Act To Restrict a Nominated Political Candidate in an Election from Changing Political Parties during the Elected Term**                      **ONTP**

<u>Sponsor(s)</u>	<u>Committee Report</u>	<u>Amendments Adopted</u>
CARR NASS R	ONTP	

LD 706 proposed to prohibit a candidate nominated by a party in a contested election from switching political parties before the election.

**LD 720**                      **RESOLUTION, Proposing an Amendment to the Constitution of Maine To Give the Supreme Judicial Court Authority To Decide Contested Elections Results**                      **ONTP**

<u>Sponsor(s)</u>	<u>Committee Report</u>	<u>Amendments Adopted</u>
TARDY DAVIS P	ONTP      MAJ OTP-AM    MIN	

LD 720 proposed to provide for the Supreme Judicial Court to decide contested elections for members of the Senate and the House of Representatives as is currently provided for all other elections.

**Committee Amendment "A" (H-155)** would have incorporated a fiscal note.

**LD 749**                      **An Act To Limit the Political Activity of the Members of the Commission on Governmental Ethics and Election Practices**                      **PUBLIC 271**

<u>Sponsor(s)</u>	<u>Committee Report</u>	<u>Amendments Adopted</u>
GAGNON	OTP-AM    MAJ OTP-AM    MIN	S-223

LD 749 proposed to prohibit a person who holds a position in a political party or campaign from serving on the Commission on Governmental Ethics and Election Practices and would prohibit members of the commission from engaging in political fund-raising or endorsing a political candidate.

**Committee Amendment "A" (S-223)** was the majority report of the committee and proposed to prohibit members of the Commission on Governmental Ethics and Election Practices from participating in fund-raising for political campaigns, including ballot measures, except at the local level and out-of-state nonfederal elections.

**Committee Amendment "B" (S-224)** was the minority report. It proposed to specify that a member of the Commission on Governmental Ethics and Election Practices may not participate in political fund-raising except at the federal or local level and out-of-state elections.

*Enacted law summary*