

MAINE STATE LEGISLATURE

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*State Of Maine
122nd Legislature*

*First Regular Session and
First Special Session*

Bill Summaries

*Joint Standing Committee
on
Legal and Veterans' Affairs*

August 2005

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Maine State Legislature

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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 1087 **An Act To Protect the Citizen Initiative Signature Collection Process at Polling Places** **ONTP**

<u>Sponsor(s)</u> EDER		<u>Committee Report</u> ONTP		<u>Amendments Adopted</u>
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LD 1087 proposed prohibiting opponents of a citizen initiative signature collection drive from influencing or attempting to influence another person's decision to sign such a petition.

LD 1099 **RESOLUTION, Proposing an Amendment to the Constitution of Maine To Ensure Statewide Participation in Initiating a Referendum by Requiring 10% of the Total Vote by County** **ONTP**

<u>Sponsor(s)</u> SAVIELLO PERRY J		<u>Committee Report</u> ONTP		<u>Amendments Adopted</u>
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LD 1099 proposed changing the required percentage of signatures on the written petition of electors to 10% of the total vote for Governor cast in each county in the last gubernatorial election for people's veto and direct initiative of legislation.

LD 1111 **RESOLUTION, Proposing an Amendment to the Constitution of Maine To Provide 4-year Terms for Senators and Representatives and To Increase Term Limits to 12 Years** **ONTP**

<u>Sponsor(s)</u> PARADIS MAYO		<u>Committee Report</u> ONTP		<u>Amendments Adopted</u>
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LD 1111 proposed changing the terms of Senators and members of the House of Representatives to 4 years and increases term limits to 12 years beginning with the statewide election in 2008.

LD 1112 **RESOLUTION, Proposing an Amendment to the Constitution of Maine To Change the Legislative Term to 4 years** **CARRIED OVER**

<u>Sponsor(s)</u> JACKSON MARTIN		<u>Committee Report</u>		<u>Amendments Adopted</u>
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Joint Standing Committee on Legal and Veterans' Affairs

LD 1112 proposed changing Legislators' terms to 4 years in time for the general election in 2006. The Legislature would meet every year, but business in the 2nd year and 4th year would be restricted as it is presently in the 2nd year.

This bill was carried over by H.P. 1023 to the next special or regular session of the 122nd Legislature.

LD 1117 **An Act To Protect Children Left Unattended at Gambling Establishments** **ONTP**

<u>Sponsor(s)</u>	<u>Committee Report</u>	<u>Amendments Adopted</u>
CURLEY ANDREWS	ONTP	

LD 1117 proposed requiring slot machine operators to conduct regular visual monitoring of their parking lots to ensure that children under 16 years of age have not been left unattended and establishes criminal penalties for failure to provide such monitoring.

LD 1118 **An Act Relating to Disclosures in Political Advertising** **PUBLIC 308**

<u>Sponsor(s)</u>	<u>Committee Report</u>	<u>Amendments Adopted</u>
DUPLESSIE	OTP-AM MAJ ONTP MIN	H-451

LD 1118 proposed to make newspapers responsible for including the required disclosures when publishing political communications in the newspapers.

Committee Amendment "A" (H-451) proposed to provide that newspapers may seek the advice of the Commission on Governmental Ethics and Election Practices regarding which communications require disclosure.

House Amendment "A" to Committee Amendment "A" (H-608) proposed to replace the bill, as amended by Committee Amendment "A." It would require a newspaper to provide to the Commission on Governmental Ethics and Election Practices copies of any advertisements that were run in its publication during the 60-day period prior to the election that name or depict a candidate for state office and lack the disclosures required to be in the advertisement under Maine law.

Enacted law summary

Public Law 2005, chapter 308 makes newspapers responsible for ensuring that political communications include the required disclosures prior to being published in the newspaper and provides that newspapers may seek the advice of the Commission on Governmental Ethics and Election Practices regarding which communications require disclosure.