

MAINE STATE LEGISLATURE

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STATE OF MAINE
118TH LEGISLATURE

SECOND REGULAR SESSION
AND
SECOND SPECIAL SESSION

BILL SUMMARIES
JOINT STANDING COMMITTEE
ON
LEGAL AND VETERANS' AFFAIRS

MAY 1998

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ONE HUNDRED EIGHTEENTH LEGISLATURE
SECOND REGULAR AND SECOND SPECIAL SESSIONS

Summary Of Legislation Before The Joint Standing Committees
May 1998

We are pleased to provide this summary of bills that were considered by the Joint Standing Committees of the Maine Legislature. 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 handled by the joint standing 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. Two indices, a subject index and a numerical index by LD number are provided for easy reference to bills. They are located 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:

- 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
- 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 Second Regular Session (unless otherwise specified in a particular law) is June 30, 1998 and July 9, 1998 for the Second Special Session. Second Special Session laws include Public Laws beginning with Chapter 718, Private and Special Laws beginning with Chapter 82 and Resolves beginning with Chapter 117.

LD 1876

Resolve, to Allow Certain Employees to Continue to Sue the State to Recover Wages Improperly Denied under Federal Wage and Hour Laws

ONTP

<u>Sponsor(s)</u>	<u>Committee Report</u>	<u>Amendments Adopted</u>
KONTOS LAWRENCE	ONTP	

LD 1876 proposed to waive the State’s claim to sovereign immunity in the case of *Alden et al. v. State of Maine*, No. CV-96-751 (Me. Super. Ct., Cum. Cty.), in which certain state employees claim payment for overtime under the federal Fair Labor Standards Act.

LD 1915

An Act to Amend the Law Governing the Filing of Municipal Campaign Reports

PUBLIC 567

<u>Sponsor(s)</u>	<u>Committee Report</u>	<u>Amendments Adopted</u>
CIANCHETTE	OTP	

LD 1915 amends the law governing campaign reports in municipal elections and referenda in towns or cities of 15,000 or more to require that political action committees file their actual registrations and reports with the municipal clerk rather than copies of their registration and report.

Enacted law summary
Public Law 1997, chapter 567 requires that political action committees file actual registrations and reports, not copies, with the municipal clerk.

LD 1917

An Act to Amend the Election Laws

PUBLIC 581

<u>Sponsor(s)</u>	<u>Committee Report</u>	<u>Amendments Adopted</u>
DAGGETT	OTP-AM	S-451

LD 1917 proposed to make several changes to the laws governing the filing of petitions, as follows.

1. It would clarify that the petition form for organization of a new party must be approved by the Secretary of State and printed by the voter or voters proposing to form the new party.
2. It would change "working" days to "business" days, which is a term defined in the law.
3. It would change the time for the initial review of an application for a citizen's initiative or people's veto referendum from 15 working days to 10 business days and clarifies that the Secretary of State must either reject the application or respond to the applicant with a revised draft of the legislation within that time.

4. The bill would also propose to provide an additional 10 business days for the Secretary of State to review each change or subsequent draft of a citizen's initiative and respond to the applicant with a revised draft or suggested revisions to the draft within that time. Once the applicant has approved the final language of the proposed legislation, the Secretary of State would have 10 business days to provide the ballot question to the applicant.
5. This bill would clarify that referendum questions may be printed on a state candidate election ballot or municipal election ballot if approved by the Secretary of State.
6. This bill would establish the order of questions on a ballot to include a carry-over measure from a previous election, such as a competing measure or citizen initiative that did not receive the majority of votes required to be enacted.

Committee Amendment "A" (S-451) proposed to clarify the procedure for submitting an application for a citizen's initiative to include submission of written consent to the final language of the proposed law. This amendment would clarify that written consent to the final language is needed for a citizen's initiative but not for a people's veto referendum.

Enacted law summary

Public Law 1997, chapter 581 makes several changes to the laws governing the filing of petitions including: changing the term “working” days to “business” days; clarifying that new party organization forms are approved by the Secretary of State but printed by voters proposing the new party; changing the time frame for application review of citizen’s initiative or people’s veto referendum from 15 to 10 business days; allows for 10 business days for the Secretary of State to review each subsequent draft of a citizen’s initiative or people’s veto; providing that referendum questions may be printed on state candidate or municipal election ballots if approved by the Secretary of State and; establishes the order of ballot questions to include carry-over measures.

LD 1932 **An Act to Promote Competition in the State's Liquor Industry** **ONTP**

<u>Sponsor(s)</u> DAGGETT	<u>Committee Report</u> ONTP	<u>Amendments Adopted</u>
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LD 1932 proposed to repeal the section of law that imposes pricing limits on agency liquor stores.

LD 1940 **An Act to Standardize Poll Opening Times** **ONTP**

<u>Sponsor(s)</u> TRUE	<u>Committee Report</u> ONTP MAJ OTP-AM MIN	<u>Amendments Adopted</u>
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LD 1940 proposed to standardize the opening times for polling places.

LD 2016 **An Act to Allow an Agency Liquor Store to Exchange Products with a State Liquor Store** **ONTP**