

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

MEMBERS:

Sen. Beverly C. Daggett, Chair
Sen. Richard J. Carey
Sen. Norman K. Ferguson, Jr.

Rep. John L. Tuttle, Jr.
Rep. Albert P. Gamache
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Rep. Charles D. Fisher
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Rep. Joseph H. Bigl
Rep. Duane J. Belanger

Staff:

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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.

<u>Sponsor(s)</u>	<u>Committee Report</u>	<u>Amendments Adopted</u>
WHEELER E KIEFFER	OTP-AM	

LD 2052 proposed to authorize Dan Corey and Nu Seed Corporation to sue the State for the damages that they allegedly suffered in connection with the decertification of the 1996 seed potato crop.

Committee Amendment "A" (H-933) proposed to change the resolve from a resolve that authorizes suit against the State to a resolve that requires payment of \$250,000 to Dan Corey and Nu Seed Corporation in settlement of losses suffered as a result of the decertification of the 1996 seed potato crop.

The bill was not enacted, but the supplemental budget bill (Public Law 1997, chapter 643, section ZZ-1) authorized payment to Dan Corey and Nu Seed Corporation of \$125,000 from the Risk Management Fund in settlement of claims.

LD 2054 **An Act to Make Voting Places Handicapped Accessible** **ONTP**

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

LD 2054 proposed to require that all voting places be accessible to persons with physical disabilities.

LD 2075 **Resolve, to Allow David Prentiss to Sue the State of Maine** **UNSIGNED**

<u>Sponsor(s)</u>	<u>Committee Report</u>	<u>Amendments Adopted</u>
O'NEAL KIEFFER	OTP-AM MAJ ONTP MIN	H-841 H-851 WHEELER E

LD 2075 proposed to authorize David Prentiss to sue the State and certain employees of the Department of Environmental Protection to recover damages up to \$250,000 that were allegedly incurred due to the listing of his property as an uncontrolled hazardous waste site by the Department of Environmental Protection.

Committee Amendment "A" (H-841) proposed to remove authorization for Mr. Prentiss to sue individual past and present employees of the Department of Environmental Protection.

House Amendment "A" (H-851) proposed to limit the amount of money that David Prentiss can receive from the State to \$70,000 and to remove the emergency preamble and emergency clause.