

# 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  
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*

*Rep. Nancy L. Chizmar*

*Rep. Charles D. Fisher*

*Rep. Rosita Gagne*

*Rep. Paul L. Tessier*

*Rep. Harry G. True*

*Rep. Janice E. Labrecque*

*Rep. Joseph H. Bigl*

*Rep. Duane J. Belanger*

**Staff:**

*Deborah C. Friedman, Legislative Analyst*

*Danielle D. Tetreau, Legislative Analyst*

*Office of Policy and Legal Analysis*

*Room 101/107/135, 13 State House Station*

*Augusta, ME 04333*

*(207)287-1670*



**Maine State Legislature**  
**OFFICE OF POLICY AND LEGAL ANALYSIS**

13 State House Station, Augusta, Maine 04333-0013  
 Telephone: (207) 287-1670  
 Fax: (207) 287-1275

**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](http://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 2082**

**An Act to Improve the Integrity of the Citizen Initiative Process**

**PUBLIC 637**

<u>Sponsor(s)</u>	<u>Committee Report</u>	<u>Amendments Adopted</u>
KONTOS DAGGETT	OTP-AM	H-938

LD 2082 proposed to change the time period for submission of a direct initiative and the validity of the application for a direct initiative from three years to one year, to correspond to the time for validity of petition signatures set forth in the Constitution of Maine.

**Committee Amendment "A" (H-938)** clarifies that the bill does not apply to petitions issued before April 1, 1998.

*Enacted law summary*

Public Law 1997, chapter 637 changes the time period for submission of a direct initiative and the validity of the application for a direct initiative from three years to one year, to correspond to the time for validity of petition signatures set forth in the Constitution of Maine.

**LD 2091**

**An Act Providing for Additional Meetings in the Event of a Tie  
Vote at Town Meetings**

**PUBLIC 733**

<u>Sponsor(s)</u>	<u>Committee Report</u>	<u>Amendments Adopted</u>
WRIGHT LAWRENCE	OTP-AM	H-988 H-1072 WRIGHT

LD 2091 proposed to require a municipality to hold a run-off election for school elections if the initial election resulted in a tie vote and the winner of the election cannot otherwise be determined.

**Committee Amendment "A" (H-988)** proposed to make the bill applicable to all municipal elections. It requires that the moderator of a town meeting adjourn the meeting to a date certain if a tie vote is discovered during the meeting. It requires that an additional town meeting be called if the tie vote is discovered after adjournment of the meeting or if the moderator adjourns the meeting without a day for the next meeting. The committee amendment also adds a mandate preamble.

**House Amendment "A" to Committee Amendment "A" (H-1072)** proposed to remove the mandate preamble from the bill.

*Enacted law summary*

Public Law 1997, chapter 733 requires the moderator of a town meeting to adjourn the meeting to a date certain if a tie vote in a candidate election is discovered during the meeting. It requires that an additional town meeting be called to break a tie if the tie vote is discovered after adjournment of the meeting or if the moderator adjourns the meeting without a day for the next meeting.