

# MAINE STATE LEGISLATURE

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**STATE OF MAINE  
119TH LEGISLATURE**

**FIRST REGULAR SESSION**

**BILL SUMMARIES  
JOINT STANDING COMMITTEE  
ON  
LEGAL AND VETERANS' AFFAIRS**

**JULY 1999**

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Rep. Terrence P. McKenney*



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**ONE HUNDRED NINETEENTH LEGISLATURE**  
**FIRST REGULAR SESSION**

**Summary Of Legislation Before The Joint Standing and Select Committees**  
**August 1999**

We are pleased to provide this summary of all bills that were considered by the Joint Standing and 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 and select 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. 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:

*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*  
*ENACTMENT FAILED*..... *Bill failed to get vote required for enactment or final passage*  
*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 September 18, 1999.

**LD 600**

**An Act to Prohibit Convicted Felons from Voting**

**ONTP**

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

LD 600 proposed to prohibit convicted felons from voting.

**LD 611**

**Resolve, to Allow Lawsuit Against the State of Maine**

**ONTP**

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

LD 611 proposed to authorize Robert Gray to sue the State. The resolve also proposed to authorize the release of certain confidential information pertaining to Robert Gray's claim which stated that errors made by state officials caused children to believe that they had been victims of a crime.

**LD 620**

**Resolve, to Allow James E. Segien of Eastport to Sue the State and the Town of Eastport**

**ONTP**

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

LD 620 proposed to authorize James Segien of Eastport to sue the State of Maine and the Town of Eastport for damage done to his pier by the sewage outfall from Eastport's municipal sewage treatment plant.

**LD 639**

**An Act to Improve the State's Democracy by Increasing Access to the Ballot and Other Election Processes**

**PUBLIC 450**

<u>Sponsor(s)</u>	<u>Committee Report</u>	<u>Amendments Adopted</u>
DAGGETT	OTP-AM MAJ ONTP MIN	S-266

LD 639 proposed to increase access to election procedures for new parties, unenrolled candidates and unenrolled voters as follows:

1. Modify the frequency of the 5% vote requirement from the current two-year cycle to a four-year cycle;
2. Allow that a party that forms around a candidate be recognized as qualified to participate in a primary election once it has filed the consent of the candidate;
3. Clarify the petition filing procedures for new political parties by adding a separate and earlier filing deadline for petitions to be submitted to local election officials before the petitions are submitted to the Secretary of State and allows that a party that forms by petition will be recognized as qualified to participate in a primary election once it has filed the petition with the Secretary of State;

4. Allow any registered voter to sign a petition to form a new political party so long as the voter is not enrolled in a political party;
5. Protect the use of the word "independent" so it may be used only by candidates who do not belong to any political party;
6. Improve access to municipal lists of registered voters; and
7. Provide that until September 1, 2000, if municipal officers are unable to appoint a sufficient number of election clerks from major parties, the officers may appoint any registered voter including voters who are not enrolled in any party, provided the balance between major parties is maintained.

**Committee Amendment "A" (S-266)** proposed to change the requirement that petitions to form a new political party have signatures equal to at least 5% of the votes cast in either of the last two preceding gubernatorial elections rather than the last preceding gubernatorial election. It also removed the prohibition on appointing election clerks after September 1, 2000 from the original bill.

***Enacted law summary***

Public Law 1999, chapter 450 amended Title 21-A to increase access to election procedures for new parties, unenrolled candidates and unenrolled voters as follows:

1. Modifies the 5% vote requirement to be based on either of the last two preceding gubernatorial elections;
2. Allows that a party that forms around a candidate be recognized as qualified to participate in a primary election once it has filed the consent of the candidate;
3. Clarify the petition filing procedures for new political parties by adding a separate and earlier filing deadline for petitions to be submitted to local election officials before the petitions are submitted to the Secretary of State and allows that a party that forms by petition will be recognized as qualified to participate in a primary election once it has filed the petition with the Secretary of State;
4. Allows any registered voter to sign a petition to form a new political party so long as the voter is not enrolled in a political party;
5. Protects the use of the word "independent" so it may be used only by candidates who do not belong to any political party;
6. Improves access to municipal lists of registered voters; and
7. Provides that until September 1, 2000, if municipal officers are unable to appoint a sufficient number of election clerks from major parties, the officers may appoint any registered voter including voters who are not enrolled in any party, provided the balance between major parties is maintained.