

# 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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**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 668**

**An Act to Amend the Term "Veteran" for Property Tax and Burial Purposes**

**ONTP**

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

LD 668 proposed to provide for property tax exemptions and burial benefits for veterans of the United States Armed Forces who have served in certain federally recognized periods of conflict. This bill proposed to extend these property tax exemptions and burial benefits to all veterans of the Armed Forces of the United States.

**LD 679**

**An Act to Submit Legislative Term Limits to Referendum in November 1999**

**ONTP**

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

LD 679 proposed to submit a repeal of the term limits law to the voters for approval at a statewide referendum.

**LD 714**

**An Act to Allow Multipart Referendum Questions for Referenda at the Municipal Level**

**ONTP**

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

LD 714 proposed to authorize governing bodies at a local level to set forth referendum questions constructed to offer multiple choices to the voter.

**LD 717**

**An Act to Amend the Election Laws**

**PUBLIC 426**

<u>Sponsor(s)</u>	<u>Committee Report</u>	<u>Amendments Adopted</u>
TUTTLE DAGGETT	OTP-AM	H-622 H-663 CHIZMAR

LD 717 proposed to change the definition of a write-in candidate and requires that the candidate file a declaration of write-in candidacy with the Secretary of State in order to be considered a valid write-in candidate and be included in the election tabulation. The bill proposed to clarify the term of office for a registrar who is also a municipal clerk. The bill proposed to require that a candidate who wishes to withdraw, for reason other than death or disqualification, must do so at least 60 days before the primary in order to be allowed to replace the candidate. The bill also proposed to allow student election clerks to be appointed to fill a vacancy in the office of election clerk. The bill proposed to move the deadline for a municipality to hold a hearing on consolidating or establishing new voting districts from 60 to 90 days before the election. The bill also proposed a change to the deadline for requesting a recount from seven business days to

five business days after the election. The bill would remove the Secretary of State's responsibility for assisting the Commission on Governmental Ethics and Campaign Practices with its duties under the Maine Revised Statutes, Title 21-A. The bill proposed to make other technical changes that correct inconsistencies with other parts of the laws.

This bill was submitted on behalf of the Secretary of State.

**Committee Amendment "A" (H-622)** proposed to make technical changes to the original bill. It removed the provision that allows student election clerks to fill vacancies in the office of election clerk. It clarified references to residential care facilities.

**House Amendment "A" to Committee Amendment "A" (H-663)** clarified that the provisions of the committee amendment apply to Level II licensed residential care facilities rather than to all licensed residential care facilities. It deleted a reference to Level II with respect to licensed nursing homes.

***Enacted law summary***

Public Law 1999, chapter 426 changes the definition of a write-in candidate and requires that the candidate file a declaration of write-in candidacy with the Secretary of State to be considered a valid write-in candidate. This law also requires a candidate, who wishes to withdraw from an election, for reason other than disqualification or death, to do so at least 60 days before the primary in order to be allowed to replace the candidate. Public Law 1999, chapter 426 also extends the deadline for a municipality to hold a hearing on consolidating or establishing new voting districts from 60 to 90 days before the election. The deadline for requesting a recount of election results is changed from seven to five business days under this law. Among other minor technical changes and clarifications, this law removes the responsibility from the Secretary of State to assist the Commission on Governmental Ethics and Election Practices with its duties.

**LD 759                                      An Act to Expedite Disputes among Commercial Landlords and Tenants                                      PUBLIC 192**

<u>Sponsor(s)</u> DAGGETT	<u>Committee Report</u> OTP-AM	<u>Amendments Adopted</u> S-129
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LD 759 proposed to expedite disputes among commercial landlords and tenants. The bill would allow the landlord and tenant the opportunity of choosing arbitration as a way of resolving a dispute. The bill also proposed to establish a bonding mechanism for commercial landlord and tenant relationships. The bill also proposed to authorize a negotiated waiver of jury trial.

**Committee Amendment "A" (S-129)** made technical corrections to the bill.

***Enacted law summary***

Public Law 1999, chapter 192 provides that a landlord and tenant have the opportunity to choose arbitration as a method of resolving a dispute. It also establishes a bonding mechanism for commercial landlord and tenant relationships and authorizes a negotiated waiver of jury trial.

**LD 773                                      An Act to Require the Missing-in-Action Flag to Be Flown on State-owned Flag Poles                                      ONTP**

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