

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).

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 1149 **An Act to Require the Municipal Clerk to Attend at Least One Training Session that is Approved by the Secretary of State Every 2 Years Regarding the Conduct of Elections** **CARRIED OVER**

<u>Sponsor(s)</u>	<u>Committee Report</u>	<u>Amendments Adopted</u>
FISHER RUHLIN		

LD 1149, which has been carried over to the Second Regular Session, proposed to require each municipal clerk to attend a training session that is approved by the Secretary of State at least once every two years in regard to the conduct of elections.

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

LD 1162 **An Act to Require Legislative Review of Rules Regarding Campaign Report Filing Forms** **PUBLIC 157**

<u>Sponsor(s)</u>	<u>Committee Report</u>	<u>Amendments Adopted</u>
DAGGETT	OTP-AM	H-241 TUTTLE S-44

LD 1162 proposed to amend the Maine Clean Election Act to require legislative review of Commission on Governmental Ethics and Election Practices rules establishing the forms to be used by candidates to file campaign reports.

Committee Amendment "A" (S-44) placed the proposed language from the original bill in the section of statute governing campaign report filing by candidates.

House Amendment "A" to Committee Amendment "A" (H-241) clarified legislative oversight of rules establishing campaign report filing forms.

Enacted law summary

Public Law 1999, chapter 157 amends the Maine Clean Election Act to require legislative review of Commission on Governmental Ethics and Election Practices rules establishing the forms to be used by candidates to file campaign reports.

LD 1164 **An Act to Clarify Landlord Access to Premises in Residential Tenancies** **PUBLIC 204**

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

LD 1164 proposed to clarify a landlord's rights in cases where a tenant changes the lock to a dwelling without permission of the landlord.

Enacted law summary

Public Law 1999, chapter 204 states that in the case of emergency a landlord may gain admission through whatever reasonable means necessary in the event the tenant changed the lock and neglected to provide the landlord with a duplicate key. The landlord may charge the tenant for any resulting damage. Public Law 1999, chapter 204 also states that if a tenant changes the lock and refuses to provide a duplicate key, the landlord may terminate tenancy with a seven-day notice.

LD 1201 An Act to Require Licensing Fees of Tobacco Products Manufacturers CARRIED OVER

<u>Sponsor(s)</u> LONGLEY	<u>Committee Report</u>	<u>Amendments Adopted</u>
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LD 1201, which has been carried over to the Second Regular Session, proposes to require tobacco products manufacturers who distribute for sale or sell tobacco products directly in the State to pay an annual licensing fee to the State of \$10,000 beginning January 1, 2000. The bill would not apply to dealers and distributors licensed under the Maine Revised Statutes, Title 36, chapter 703 or chapter 704 and retailers licensed under Title 22, chapter 262-A.

LD 1211 An Act to Permit Wine to be Ordered Through the Mail ONTP

<u>Sponsor(s)</u> STEVENS	<u>Committee Report</u> ONTP MAJ OTP-AM MIN	<u>Amendments Adopted</u>
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LD 1211 proposed to amend the prohibition on the interstate shipping of liquor to allow the interstate shipping of wine.

House Amendment "A" (H-575), which was not adopted, proposed to replace the bill by repealing the law that deals with the prohibition of interstate shipping of liquor and would reinstate the law that relates to interstate reciprocal shipping of malt liquor and wine. The amendment also proposed to add an additional requirement to ensure that the State receives payment in an amount that would otherwise be received as taxes and makes a violation of this proposed provision a Class E crime.

LD 1235 RESOLUTION, Proposing an Amendment to the Constitution of Maine ONTP
to Increase the Number of Signatures Required on Direct Initiative
Petitions

<u>Sponsor(s)</u> DUNLAP	<u>Committee Report</u> ONTP	<u>Amendments Adopted</u>
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LD 1235 proposed to amend the Constitution of Maine to require that the number of signatures required on a petition to directly initiate legislation be not less than 15% of the total vote for Governor cast in the last preceding gubernatorial election.