

# MAINE STATE LEGISLATURE

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*State Of Maine  
120th Legislature*

*First Regular Session*

*Bill Summaries*

*Joint Standing Committee  
on  
Legal and Veterans' Affairs*

*August 2001*

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**120th Legislature**  
**First Regular Session**

**Summary Of Legislation Before The Joint Standing Committees**  
**August 2001**

Enclosed please find a summary of all bills, resolves, joint study orders, joint resolutions and Constitutional resolutions that were considered by the joint standing 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 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*  
*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*  
*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 21, 2001**.

*David E. Boulter, Director*  
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## Joint Standing Committee on Legal and Veterans' Affairs

**LD 279**                      **An Act to Amend the Time the Registrar is Required to be at a Municipal Caucus**                      **PUBLIC 102**

<u>Sponsor(s)</u>	<u>Committee Report</u>	<u>Amendments Adopted</u>
CRESSEY	OTP-AM    MAJ	H-168
MCALEVEY	ONTP        MIN	

LD 279 proposed to amend the time that the registrar of voters of a municipality is required to be at a municipal caucus from one hour preceding the commencement of the party caucus to 20 minutes preceding the commencement of the party caucus.

**Committee Amendment "A" (H-168)** amended the bill by requiring that the registrar attend official party caucuses for at least 30 minutes preceding the commencement of the caucus.

### *Enacted law summary*

Public Law 2001, chapter 102 changes from 1 hour to 30 minutes the length of time that the registrar of voters must attend official party caucuses preceding the commencement of the caucus.

**LD 284**                      **An Act to Reimburse Philip Wolley for Litigation Expenses Incurred in Connection with His Termination and Reinstatement as a State Employee**                      **DIED BETWEEN BODIES**

<u>Sponsor(s)</u>	<u>Committee Report</u>	<u>Amendments Adopted</u>
BAKER	ONTP        MAJ	
SAWYER	OTP          MIN	

LD 284 proposed to appropriate funds in the amount of \$28,000 to reimburse Philip Wolley for litigation expenses incurred in connection with his termination and subsequent reinstatement as a state employee. In the House, the minority "Ought to Pass" Committee Report was accepted and the House asked for a Committee of Conference on LD 284. In the Senate, the majority "Ought Not to Pass" Committee Report was accepted. LD 284 died between the bodies.

**LD 285**                      **Resolve, to Establish the Commission to Clarify the Laws Governing Lobbyist Disclosure Requirements**                      **DIED ON ADJOURNMENT**

<u>Sponsor(s)</u>	<u>Committee Report</u>	<u>Amendments Adopted</u>
DAIGLE	OTP-AM	H-440
PENDLETON		

## Joint Standing Committee on Legal and Veterans' Affairs

LD 285 proposed to broaden the definition of lobbying to include time spent attending legislative hearings, work sessions and floor debate. The bill also proposed to require that lobbyists and others who are compensated to present testimony, but are not registered lobbyists, identify themselves and their employers before presenting written or oral testimony to any legislative committee or board, commission or similar agency of State Government.

**Committee Amendment "A" (H-440)** proposed to replace the bill by establishing the 8-member Commission to Clarify the Laws Governing Lobbyist Disclosure Requirements. The commission would have been required to report its findings and recommendations to the Joint Standing Committee on Legal and Veterans Affairs by December 1, 2001.

The bill was enacted in the House but died in the Senate on the Appropriations Table upon adjournment.

**LD 289**                      **An Act Regarding Horse Racing**                      **CARRIED OVER**

<u>Sponsor(s)</u>	<u>Committee Report</u>	<u>Amendments Adopted</u>
MCKENNEY FERGUSON		

LD 289, which was carried over to the Second Regular Session, proposes to amend the definition of a "commercial track" by deleting the different criteria that currently apply to areas with different populations. It also proposed to make technical changes to make the use of this term consistent with the term "commercial licensee."

**LD 294**                      **An Act to Clarify the Laws Prohibiting Consumption or Possession of Alcohol by a Minor**                      **PUBLIC 9**

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

LD 294 proposed to clarify that the person present when a minor is permitted to possess liquor must be the minor's parent, legal guardian or custodian. This bill also proposed to clarify that a minor may possess liquor in any home in the presence of the minor's parent, legal guardian or custodian. Current law prohibits a minor from consuming liquor except in a home in the presence of "a parent, legal guardian or custodian."

### *Enacted law summary*

Public Law 2001, chapter 9 clarifies that a minor may possess liquor in any home in the presence of the minor's parent, legal guardian or custodian not the parent, legal guardian or custodian of any minor.