

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).

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

House Amendment "F" (H-709), which was not adopted, proposed to replace the bill. Under this amendment:

1. The provisions of the bill increasing the length of term limits for constitutional officers and the State Auditor would have been eliminated;
2. The provisions of the bill extending the limit on terms for state Legislators would have been retained. This amendment proposed to clarify that the increase in term limits from 4 to 6 terms applies to consecutive terms for state Senators and members of the state House of Representatives regardless of when their first term began. Under this amendment members of the 120th Legislature would serve a total of 6 terms, regardless of when elected; and
3. The referendum question would have been amended to apply only to state Legislators.

LD 918

An Act to Amend the Public Drinking Law

PUBLIC 139

<u>Sponsor(s)</u> PEAVEY	<u>Committee Report</u> OTP	<u>Amendments Adopted</u>
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LD 918 proposed to amend the law that prohibits drinking in public to allow a conspicuous posting forbidding drinking on state-owned property to serve as a warning, similar to the provisions that currently apply to private or municipal property.

Enacted law summary

Public Law 2001, chapter 139 allows for a conspicuous posting forbidding drinking on state-owned property to serve as a warning, similar to the provisions that apply to private or municipal property.

LD 926

**An Act to Reform the Direct Initiative Process to Eliminate Abuses
and Provide Greater Citizen Input in the Initiative Process**

ONTP

<u>Sponsor(s)</u> SCHNEIDER	<u>Committee Report</u> ONTP MAJ OTP-AM MIN	<u>Amendments Adopted</u>
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LD 926 proposed to amend the law governing the direct initiative of legislation to require that petitions contain a description of the proposal and statements setting out the environmental and economic impacts. The bill also proposed to require the Secretary of State to give notice to the public to allow input on the wording of the ballot question. The bill would have added an additional 10 days to the whole process before the final wording of the question is given to the applicant to allow for the period of public comment.

Committee Amendment "A" (H-231), which was not adopted, was the minority report of the Joint Standing Committee on Legal and Veterans Affairs. This amendment proposed to strike the provision in the bill that would

Joint Standing Committee on Legal and Veterans' Affairs

have required that citizen initiative petitions include an economic and environmental impact statement prepared by the Executive Department, State Planning Office. It proposed to retain the provision that would require the Secretary of State to hold a public hearing on the wording of the ballot question.

LD 978 **Resolve, to Create the Commission to Study the Relationship** **ONTP**
Between Alcohol Sales and Substance Abuse in the State of Maine

<u>Sponsor(s)</u>	<u>Committee Report</u>	<u>Amendments Adopted</u>
O'BRIEN J	ONTP MAJ OTP-AM MIN	

LD 978, a resolve, proposed to create the Commission to Study the Relationship Between Alcohol Sales and Substance Abuse in the State of Maine.

Committee Amendment "A" (H-443), which was not adopted, proposed to direct the Substance Abuse Services Commission to study the relationship between alcohol sales and substance abuse.

LD 1034 **An Act to Establish Uniform Election Filing Deadlines for** **ONTP**
Legislative and Gubernatorial Candidates

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

LD 1034 proposed to make the filing deadlines for legislative and gubernatorial races the same for enrolled and unenrolled candidates.

LD 1035 **An Act to Require Proof of Liquor Liability Insurance Upon** **ONTP**
Demand by a Municipality

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

LD 1035 proposed to authorize municipalities and unincorporated places to require from an applicant for a liquor license proof of liquor liability insurance with minimum coverage of \$50,000 before approval of an application for a liquor license is granted. The bill would have required the insurance policy to include a provision that would require the insurer to notify the municipality or unincorporated place of a lapse in coverage. Any lapse in coverage would result in automatic revocation of a liquor license. If the licensee could show proof of new insurance or give good cause as to the reason for the lapse, the revocation would be withdrawn.