

# MAINE STATE LEGISLATURE

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*State Of Maine  
120th Legislature*

*Second Regular Session*

*Bill Summaries*

*Joint Standing Committee  
on  
Legal and Veterans' Affairs*

*May 2002*

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120th Legislature
Second Regular Session

Summary Of Legislation Before The Joint Standing Committees
May 2002

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 organized for convenient reference to information on bills considered by the committees. It is arranged alphabetically by committee name and within committees by bill (LD) number.

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:

- 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
PASSED..... Joint Order passed in both bodies
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 Second Regular Session (unless otherwise specified in a particular law) is July 25, 2002.

Patrick T. Norton, Interim Director
Offices located in Room 215 of the Cross Office Building

# Joint Standing Committee on Legal and Veterans' Affairs

LD 289

## An Act Regarding Horse Racing

PUBLIC 567

<u>Sponsor(s)</u>	<u>Committee Report</u>	<u>Amendments Adopted</u>
MCKENNEY FERGUSON	OTP-AM	H-794

LD 289, which was carried over from the first regular session, proposed 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."

**Committee Amendment "A" (H-794)** proposed to replace the original bill. It would specify that harness racing judges for commercial tracks are appointed by the State Harness Racing Commission with the approval of the track and that the judges are hired as employees of the track on an annual basis. It also would provide for the transfer of a commercial track license to another location. This amendment would provide that if a race date at a commercial track is canceled due to a horse shortage that race date is still valid for the purposes of meeting the number of race dates required for the track to qualify as a commercial track.

### *Enacted law summary*

Public Law 2001, chapter 567 amends the definition of a "commercial track" by deleting the different criteria that currently apply to areas with different populations. It also makes technical changes to make the use of this term consistent with the term "commercial licensee." Public Law 2001, chapter 567 specifies that harness racing judges for commercial tracks are appointed by the State Harness Racing Commission with the approval of the track and that the judges are hired as employees of the track on an annual basis. It also provides for the transfer of a commercial track license to another location. This law provides that if a race date at a commercial track is canceled due to a horse shortage that race date is still valid for the purposes of meeting the number of race dates required for the track to qualify as a commercial track.

LD 1340

## An Act to Hold an Advisory Referendum on Term Limits

INDEF PP

<u>Sponsor(s)</u>	<u>Committee Report</u>	<u>Amendments Adopted</u>
TUTTLE DOUGLASS	OTP-AM MAJ ONTP MIN	

LD 1340, which was carried over from the first regular session, proposed to direct the Secretary of State to hold an advisory referendum at a statewide election to determine whether the voters of the State favor amending or repealing the existing state law limiting the terms of Legislators.

**Committee Amendment "A" (H-817)** proposed to amend the original bill by submitting only one question regarding term limits to the voters. The question would ask the voter if the voter is in favor of repealing term limits for Legislators.

## Joint Standing Committee on Legal and Veterans' Affairs

**House Amendment "A" to Committee Amendment "A" (H-854)** proposed to repeal term limits for Legislators, subject to approval by the voters at referendum.

**LD 1532**                      **An Act to Amend the Governmental Ethics Laws Administered by the Commission on Governmental Ethics and Election Practices**                      **ONTP**

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

LD 1532, which was carried over from the first regular session, was an omnibus bill that proposed to amend several sections of the law pertaining to governmental ethics. It proposed to define several terms such as, "anything of value", "associated" and "reportable liability." This bill would have made changes to the laws governing standards of conduct, conflict of interest and the process for filing and processing ethics complaints. LD 1532 also proposed changes to the laws governing financial disclosure required of legislators. Finally, the bill proposed to increase the penalties for filing a false disclosure statement or for willfully failing to file on time.

**LD 1752**                      **An Act to Update the Department of Defense, Veterans and Emergency Management Laws**                      **PUBLIC 662**

<u>Sponsor(s)</u>	<u>Committee Report</u>	<u>Amendments Adopted</u>
TUTTLE DOUGLASS	OTP-AM	H-837 H-946 TUTTLE S-557 DOUGLASS

LD 1752, which was carried over from the first regular session, proposed to make technical language changes throughout the Department of Defense, Veterans and Emergency Management's legislation, modify the Maine Code of Military Justice, authorize the sale of 2 armories in accordance with established procedures, fortify reemployment rights of service members, redesignate veteran service officers to veteran advocates and modify the mechanism by which the Governor declares a state of emergency.

**Committee Amendment "A" (H-837)** proposed to specify that the sale of the Caribou Armory must be at market value. Current law states that a veteran is eligible for burial in the veterans' cemetery if he or she was a resident of the State at the time of entering military service or at the time of death. This requirement would be repealed by this amendment. The amendment also proposed to authorize the Governor to enter into an agreement with the Federal Emergency Management Agency for debris removal financial assistance. Under this agreement the Governor would be authorized to indemnify the Federal Government against any claim arising from such removal as required by federal law. The amendment also proposed to make several technical changes to the bill and add a fiscal note to the bill.

**House Amendment "A" (H-880)**, which was not adopted, proposed to correct a cross-reference.

**House Amendment "B" (H-899)** proposed to amend the bill in the following ways:

1. It would correct a cross-reference;