

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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Maine State Legislature
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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

provides that an agency liquor license may be transferred to the spouse or heir of a deceased licensee as long as the spouse or heir meets all of the criteria applied to a traditional license applicant.

LD 2165

Resolve, to Allow Julie Harrington to Sue the State

**FINAL PASSAGE
FAILED**

<u>Sponsor(s)</u>	<u>Committee Report</u>	<u>Amendments Adopted</u>
HASKELL YOUNGBLOOD	OTP-AM	H-1045 S-613 DOUGLASS

LD 2165 is a resolve authorizing Julie Harrington to bring a civil action against the State for damages resulting from the alleged use by the State of computer software created by Julie Harrington in violation of her alleged copyrights in that software.

Committee Amendment "A" (H-1045) replaced the resolve. It proposed to authorize Julie Harrington to bring a civil action against the State for damages resulting from the alleged use by the State of a computer software program in violation of her alleged copyrights in that software. The amendment also proposed to waive any defense of immunity the State may have pursuant to the Eleventh Amendment of the United States Constitution. The amendment would have limited any recovery to \$400,000. The amendment also added a fiscal note to the resolve.

Senate Amendment "B" to Committee Amendment "A" (S-613) proposed to authorize the transfer by the Commissioner of Administrative and Financial Services of up to \$30,000 from the self-insurance fund to the Department of Corrections to offset the costs of outside counsel fees.

Senate Amendment "A" to Committee Amendment "A" (S-612) proposed to require the Department of Corrections to defend the lawsuit brought by Julie Harrington within the Department's existing resources. Senate Amendment "A" to Committee Amendment "A" was not adopted.

LD 2169

An Act to Ensure Proper Disbursement of Matching Funds under the Maine Clean Election Act

PUBLIC 589

<u>Sponsor(s)</u>	<u>Committee Report</u>	<u>Amendments Adopted</u>
TUTTLE	OTP-AM MAJ ONTP MIN	H-971

LD 2169 proposed to require that traditionally funded candidates who have received or spent 101% of the amount disbursed to their opponents who are financed by the Maine Clean Elections Act file a report within 48 hours of making significant single expenditures. This reporting requirement would begin on the 28th day prior to an election.

Committee Amendment "A" (H-971) proposed to amend the accelerated reporting schedule for traditionally funded candidates who have received or spent 101% of the amount disbursed to their opponents who are financed by the Maine Clean Election Act. As proposed, the 42nd day report would reflect activity through the 44th day prior to election day, the 21st day report would reflect activity through