

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

Staff:

*Danielle D. Fox, Legislative Analyst
Colleen McCarthy Reid, Legislative Analyst*

*Office of Policy and Legal Analysis
13 State House Station
Augusta, ME 04333
(207) 287-1670*

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Maine State Legislature
OFFICE OF POLICY AND LEGAL ANALYSIS

13 State House Station, Augusta, Maine 04333-0013
Telephone: (207) 287-1670
Fax: (207) 287-1275

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

the 23rd day prior to election day and the 12th day report would reflect activity through the 14th day prior to election day.

Enacted law summary

Public Law 2001, chapter 589 amends 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. The 42nd day report will reflect activity through the 44th day prior to election day, the 21st day report will reflect activity through the 23rd day prior to election day and the 12th day report will reflect activity through the 14th day prior to election day. Under this law, the requirement for filing 48 hour single expenditure reports begins the 14th day prior to election day.

LD 2174 **Resolve, Authorizing Michelle Booker to Sue the State**

**VETO
SUSTAINED**

<u>Sponsor(s)</u>	<u>Committee Report</u>	<u>Amendments Adopted</u>
PERRY SAWYER	OTP-AM	H-1044

LD 2174 proposed to authorize Michelle Booker, in her capacity as personal representative of the estate of Donna Leen, to sue the State for damages as a result of the State's negligence in the death of Donna Leen.

Committee Amendment "A" (H-1044) replaces the resolve. It proposed to authorize Michelle Booker, in her capacity as personal representative of the estate of Donna Leen, to sue the Department of Corrections for wrongful death as a result of the Department's alleged negligence in the death of Donna Leen. Under the amendment, monetary recovery is limited to the maximum amounts authorized under the wrongful death provision, Maine Revised Statutes, Title 18-A, section 2-804. The amendment also added a fiscal note to the resolve.

Senate Amendment "A" to Committee Amendment "A" (S-568) proposed to cap the damages that may be recovered under a lawsuit brought by Michelle Booker to \$400,000, the limit specified in the Maine Tort Claims Act. Senate Amendment "A" to Committee Amendment "A" was not adopted.

LD 2174 was enacted in the House and Senate, but vetoed by the Governor.

LD 2182 **An Act to Establish a Centralized Voter Registration System for the State**

PUBLIC 637

<u>Sponsor(s)</u>	<u>Committee Report</u>	<u>Amendments Adopted</u>
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LD 2182 is a committee bill pursuant to Joint Order, House Paper 1622. It proposed to define "centralized voter registration system" and authorize the Secretary of State to apply for and receive funds for the establishment of a centralized voter registration system. The bill would establish the Centralized Voter Registration Advisory Committee to assist the Secretary of State and requires the Secretary of State to

Joint Standing Committee on Legal and Veterans' Affairs

develop a pilot program to test a centralized voter registration system and fully implement a centralized voter registration system by December 31, 2007. The Secretary of State would be authorized to adopt rules to implement and administer a centralized voter registration system. Such rules would be major substantive rules. The Secretary of State would be required to report annually to the joint standing committee of the Legislature having jurisdiction over voter registration matters and could recommend legislation necessary to implement or administer the centralized voter registration system.

Enacted law summary

Public Law 2001, chapter 637 defines "centralized voter registration system" and authorizes the Secretary of State to apply for and receive funds for the establishment of a centralized voter registration system. It establishes the Centralized Voter Registration Advisory Committee to assist the Secretary of State and requires the Secretary of State to develop a pilot program to test a centralized voter registration system and fully implement a centralized voter registration system by December 31, 2007. Under this law, the Secretary of State is authorized to adopt rules to implement and administer a centralized voter registration system. Such rules would be major substantive rules. The Secretary of State is required to report annually to the joint standing committee of the Legislature having jurisdiction over voter registration matters and may recommend legislation necessary to implement or administer the centralized voter registration system.

LD 2183 **Resolve, Regarding Legislative Review of Chapter 3: Maine Clean Elections Act and Related Provision Amendments, Major Substantive Rules of the Commission on Governmental Ethics and Election Practices** **RESOLVE 109 EMERGENCY**

<u>Sponsor(s)</u>		<u>Committee Report</u> OTP		<u>Amendments Adopted</u>
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LD 2183 proposed to approve major substantive rules governing the Maine Clean Elections Act administered by the Commission on Governmental Ethics and Election Practices.

Enacted law summary

Resolve 2001, chapter 109 approved major substantive rules governing the Maine Clean Election Act administered by the Commission on Governmental Ethics and Election Practices. Some of the rules adopted govern distribution of matching funds, record-keeping by participating candidates, the return of unspent funds and the liquidation of property purchased with Maine Clean Election Act funds.

Resolve 2001, chapter 109 was finally passed as an emergency measure effective April 8, 2002.

LD 2211 **An Act to Include a Woman Veteran on the Board of Trustees of the Maine Veterans' Homes** **PUBLIC 676**

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