

# MAINE STATE LEGISLATURE

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*State Of Maine  
121st Legislature*

*First Regular Session*

*Bill Summaries*

*Joint Standing Committee  
on  
Legal and Veterans' Affairs*

*July 2003*

**Staff:**

*Danielle D. Fox, Legislative Analyst  
Lucia Nixon, Legislative Analyst*

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

**Members:**

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Sen. Kenneth F. Lemont  
Sen. Arthur F. Mayo III*

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# Maine State Legislature



## Office Of Policy And Legal Analysis Office Of Fiscal And Program Review

### 121st Maine Legislature First Regular Session

#### Summary Of Legislation Before The Joint Standing Committees

Enclosed please find a summary of all bills, resolves, joint study orders, joint resolutions and Constitutional resolutions that were considered by the joint standing and joint 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 arranged alphabetically by committee name 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:

<i>CARRIED OVER PURSUANT TO HP 1212</i> .....	<i>Bills carried over to the 2<sup>nd</sup> Regular Session</i>
<i>CON RES XXX</i> .....	<i>Chapter # of Constitutional Resolution passed by both Houses</i>
<i>CONF CMTE UNABLE TO AGREE</i> .....	<i>Committee of Conference unable to agree; bill died</i>
<i>DIED BETWEEN BODIES</i> .....	<i>House &amp; Senate disagree; bill died</i>
<i>DIED IN CONCURRENCE</i> .....	<i>One body accepts ONTP report; the other indefinitely postpones the bill</i>
<i>DIED ON ADJOURNMENT</i> .....	<i>Action incomplete when session ended; bill died</i>
<i>EMERGENCY</i> .....	<i>Enacted law takes effect sooner than 90 days</i>
<i>FAILED EMERGENCY ENACTMENT/FINAL PASSAGE</i> .....	<i>Emergency bill failed to get 2/3 vote</i>
<i>FAILED ENACTMENT/FINAL PASSAGE</i> .....	<i>Bill failed to get majority vote</i>
<i>FAILED MANDATE ENACTMENT</i> .....	<i>Bill imposing local mandate failed to get 2/3 vote</i>
<i>NOT PROPERLY BEFORE THE BODY</i> .....	<i>Ruled out of order by the presiding officers; bill died</i>
<i>INDEF PP</i> .....	<i>Bill Indefinitely Postponed</i>
<i>ONTP</i> .....	<i>Ought Not To Pass report accepted</i>
<i>OTP-ND</i> .....	<i>Committee report Ought To Pass In New Draft</i>
<i>P&amp;S XXX</i> .....	<i>Chapter # of enacted Private &amp; Special Law</i>
<i>PASSED</i> .....	<i>Joint Order passed in both bodies</i>
<i>PUBLIC XXX</i> .....	<i>Chapter # of enacted Public Law</i>
<i>RESOLVE XXX</i> .....	<i>Chapter # of finally passed Resolve</i>
<i>UNSIGNED</i> .....	<i>Bill held by Governor</i>
<i>VETO SUSTAINED</i> .....	<i>Legislature failed to override Governor's Veto</i>

Please note that the effective date for all non-emergency legislation enacted in the First Regular Session (unless otherwise specified in a particular law) is September 13, 2003.

**David C. Elliott, Director**  
Offices located in Room 215 of the Cross Office Building

*Joint Standing Committee on Legal and Veterans' Affairs*

**LD 820**

**An Act To Prohibit a Governmental Entity from Endorsing a Political Candidate or a Referendum Issue**

**ONTP**

<u>Sponsor(s)</u> BERRY		<u>Committee Report</u> ONTP		<u>Amendments Adopted</u>
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LD 820 proposed to prohibit municipalities, county governments and quasi-municipal districts, including water and sewer districts, from endorsing campaigns for the passage or defeat of a referendum or political candidates. The bill proposed to prohibit these entities from making contributions to candidates or referendum campaigns. The bill also proposed to authorize the Commission on Governmental Ethics and Election Practices to set penalties for violating these prohibitions.

**LD 844**

**An Act To Provide the Option To Nominate Presidential Candidates by Caucus**

**ONTP**

<u>Sponsor(s)</u> GLYNN		<u>Committee Report</u> ONTP		<u>Amendments Adopted</u>
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LD 844 proposed to provide political parties the option to nominate candidates for President of the United States by caucus rather than by primary election. The bill proposed to set forth the deadlines by which parties must notify the Secretary of State of the decision to nominate by caucus and of the party's nomination for President when using the caucus method.

**LD 859**

**An Act To Require That the Costs Associated with Enacting a Direct Initiative Appear on the Ballot**

**ONTP**

<u>Sponsor(s)</u> SHIELDS NASS		<u>Committee Report</u> ONTP MAJ OTP-AM MIN		<u>Amendments Adopted</u>
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LD 859 proposed to require that ballots on direct initiative of legislation by the people of the State include a statement of the fiscal impact of the legislation on state revenues, appropriations or allocations. The bill proposed to authorize the Secretary of State to request assistance from the Office of Fiscal and Program Review in preparing the fiscal estimate.

**Committee Amendment "A" (H-228)** was the minority report and proposed to replace the bill. The amendment proposed to require that ballots on direct initiative legislation include a statement of the estimated fiscal impact of the legislation on state revenues, appropriations or allocations and to require that Office of Fiscal and Program Review to prepare the fiscal estimate. The amendment also proposed to specify that the validity of the direct initiative legislation is not affected by the validity of the fiscal estimate. This amendment was not adopted.