

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

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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).

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 2nd 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 & 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&S XXX</i>	<i>Chapter # of enacted Private & 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

property or tenants have experienced harm or have been threatened with harm by a guest or invitee of a tenant or a dangerous pet on the premises.

Enacted Law Summary

Public Law 2003, chapter 265 allows a landlord to file petitions for the protection of rental property or tenants when the landlord, landlord's employee or agent, rental property or tenants have experienced harm or have been threatened with harm by a guest or invitee of a tenant or a dangerous pet on the premises.

LD 1027 **Resolve, Directing the Commission on Governmental Ethics and Election Practices To Adopt Rules Regarding Certain Election Practices** **CARRIED OVER**

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

LD 1027, which was carried over to the Second Regular Session, proposes to direct the Commission on Governmental Ethics and Election Practices to adopt routine technical rules regarding automated telephone calls and mass mailings in the 2 weeks before an election. The resolve proposes to require a candidate or political action committee, or any other entity required to file with the commission regarding expenditures, to provide a transcript of the telephone call or copy of the mailing to the commission before the automated telephone call is made or the mass mailing is distributed. It also proposes to require that the commission make the transcript of the telephone call or copy of the mailing available for public inspection.

Committee Amendment "A" (H-230) proposed to change the rule designation from "routine technical" to "major substantive." This was the majority report when the bill was reported out of committee. The bill was subsequently sent back to the committee and carried over.

LD 1057 **An Act To Allow a Worker at a Beano Game To Play the Cards of a Player Who Takes a Restroom Break** **PUBLIC 353**

<u>Sponsor(s)</u>	<u>Committee Report</u>	<u>Amendments Adopted</u>
PATRICK BRYANT	OTP-AM MAJ ONTP MIN	H-404

LD 1057 proposed to allow a person conducting or assisting in the conduct of beano to assist a player by playing that player's cards while the player takes a restroom break.

Committee Amendment "A" (H-404) proposed to specify that the section proposed by the original bill does not apply to the conduct of high-stakes beano.

House Amendment "A" (H-462), which was not adopted, proposed to allow a person conducting or assisting in the conduct of beano to assist a player by playing that player's cards while the player takes a smoking break.

Joint Standing Committee on Legal and Veterans' Affairs

Enacted Law Summary

Public Law 2003, chapter 353 allows a person conducting or assisting in the conduct of beano to assist a player by playing that player's cards while the player takes a restroom break.

This law does not apply to the conduct of high-stakes beano.

LD 1068 **Resolve, Directing the Bureau of Veterans' Services To Provide Assistance To Obtain Information Regarding Maine Members of the United States Armed Forces Presumed Lost or Deceased** **RESOLVE 43**

<u>Sponsor(s)</u> JOY		<u>Committee Report</u> OTP-AM		<u>Amendments Adopted</u> H-269
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LD 1068 proposed to require the Department of Defense, Veterans and Emergency Management, Bureau of Maine Veterans' Services to maintain and update a roster of all Maine members of the United States Armed Forces who are presumed lost or deceased during their service, regardless of whether the presumed loss or death occurred in operations during a recognized period of war or conflict.

Committee Amendment "A" (H-269) proposed to replace the bill with a resolve. The amendment proposed to require the Department of Defense, Veterans and Emergency Management, Bureau of Veterans' Services to assist individuals in obtaining information regarding Maine members of the United States Armed Forces who are presumed lost or deceased during their active military service. The amendment proposed to add a fiscal note.

Enacted Law Summary

Resolve 2003, chapter 43 requires the Department of Defense, Veterans and Emergency Management, Bureau of Veterans' Services to assist individuals in obtaining information regarding Maine members of the United States Armed Forces who are presumed lost or deceased during their active military service.

LD 1115 **An Act To Prohibit a Maine Clean Election Act Candidate from Running for More than One Office** **ONTP**

<u>Sponsor(s)</u> SIMPSON PENDLETON		<u>Committee Report</u> ONTP MAJ OTP MIN		<u>Amendments Adopted</u>
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LD 1115 proposed to prohibit a candidate from being certified as a Maine Clean Election Act candidate if that candidate is running for more than one office.