

# MAINE STATE LEGISLATURE

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*State Of Maine  
122nd Legislature*

*First Regular Session and  
First Special Session*

*Bill Summaries*

*Joint Standing Committee  
on  
Legal and Veterans' Affairs*

*August 2005*

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Maine State Legislature

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122nd Legislature
First Regular Session and First Special Session

Summary of Legislation Considered by the Joint Standing Committees
August 2005

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 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 organized by committees 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. A subject index for each committee is included immediately before the bill summaries for that committee, and a numerical index by LD number is included 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:

- CARRIED OVER ..... Bill Carried Over to Second Regular Session
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
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 First Regular Session (unless otherwise specified in a particular law) is June 29, 2005; and for non-emergency legislation enacted in the First Special Session is September 17, 2005.

## Joint Standing Committee on Legal and Veterans' Affairs

**LD 1154**

### **An Act To Recognize and Regulate the Proper Formation of Minor Political Parties**

**ONTP**

<u>Sponsor(s)</u> LINDELL		<u>Committee Report</u> ONTP		<u>Amendments Adopted</u>
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LD 1154 proposed to allow the formation of minor political parties in the State. Minor political parties would be organized by holding at least one municipal caucus in every county and nominate candidates through a party committee nominating process.

**LD 1155**

### **An Act To Prohibit the Sale and Use of Vaporized Alcohol and Alcohol Vaporizing Devices**

**PUBLIC 259**

<u>Sponsor(s)</u> BRYANT M BRYANT B		<u>Committee Report</u> OTP-AM		<u>Amendments Adopted</u> H-413
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LD 1155 proposed to prohibit selling, furnishing, giving away, using, possessing and offering to sell, furnish or give away vaporized alcohol or an alcohol vaporizing device. Using vaporized alcohol or an alcohol vaporizing device would be a civil violation for which a fine would be adjudged and the court could order community service, counseling or treatment. Selling, furnishing, giving away, possessing or offering to sell, furnish or give away vaporized alcohol or an alcohol vaporizing device would be a civil violation for which a fine would be adjudged. A 2nd offense for selling, furnishing, giving away, possessing or offering to sell, furnish or give away vaporized alcohol or an alcohol vaporizing device would be a Class E crime for which a fine would be adjudged, and, if the person is a licensee for the on-premises or off-premises sale of liquor, the court could order a suspension of the license for up to one year.

**Committee Amendment "A" (H-413)** proposed to remove the proposed prohibition on possessing vaporized alcohol or an alcohol vaporizing device and would create an exception for medical and scientific research to the prohibition on using, selling, furnishing or giving away vaporized alcohol or alcohol vaporizing devices. The amendment would also make technical changes to the penalty provisions of the bill.

**House Amendment "A" (H-434)** proposed to delay the prohibition of vaporized alcohol and vaporized alcohol devices until January 1, 2008. This amendment would direct the Department of Health and Human Services to study the safety and risks associated with the use of alcohol vaporizing devices in comparison to the more traditional means of consuming alcohol and to report its findings and recommendations to the Joint Standing Committee on Legal and Veterans Affairs by January 2, 2006.

#### ***Enacted law summary***

Public Law 2005, chapter 259 prohibits selling, furnishing, giving away, using and offering to sell, furnish or give away vaporized alcohol or an alcohol vaporizing device. It makes a violation of that prohibition a civil violation and subsequent offenses Class E crimes and, if the person is a licensee for the on-premises or off-premises sale of liquor, it authorizes the court to order a suspension of the license for up to one year. Public Law 2005, chapter