

MAINE STATE LEGISLATURE

The following document is provided by the
LAW AND LEGISLATIVE DIGITAL LIBRARY
at the Maine State Law and Legislative Reference Library
<http://legislature.maine.gov/lawlib>



Reproduced from electronic originals
(may include minor formatting differences from printed original)

*State Of Maine
122nd Legislature*

*First Regular Session and
First Special Session*

Bill Summaries

*Joint Standing Committee
on
Legal and Veterans' Affairs*

August 2005

Staff:

*Danielle D. Fox, Legislative Analyst
Curtis Bentley, Legislative Analyst*

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

Members:

*Sen. Kenneth T. Gagnon, Chair
Sen. Elizabeth H. Mitchell
Sen. Debra D. Plowman*

*Rep. John L. Patrick, Chair
Rep. John L. Tuttle, Jr.
Rep. Charles D. Fisher
Rep. Patricia A. Blanchette
Rep. Linda M. Valentino
Rep. Randy E. Hotham
Rep. Richard B. Brown
Rep. Gary W. Moore
Rep. David N. Ott
Rep. Wright H. Pinkham, Sr.
Rep. Frederick J. Moore, III*



Maine State Legislature

OFFICE OF POLICY & LEGAL ANALYSIS

13 State House Station, Room 215 Cross State Office Building
Augusta, Maine 04333-0013
Telephone: (207) 287-1670
Fax: (207) 287-1275

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 1388

**An Act To Amend Maine Election Law by Instituting a Statewide
Vote-by-mail System**

ONTP

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

LD 1388 proposed to require a person requesting an absentee ballot to request it in person or to request it by mail. It would also clarify that the completed ballot be returned in person or by mail. This bill proposed eliminating 3rd-person involvement in the absentee ballot process.

LD 1399

An Act To Increase College Scholarships

ONTP

<u>Sponsor(s)</u> BRENNAN CUMMINGS		<u>Committee Report</u> ONTP		<u>Amendments Adopted</u>
--	--	---------------------------------	--	---------------------------

LD 1399 proposed to repeal the laws that establish the Fund to Stabilize Off-track Betting Facilities and require that 2% of the total gross slot machine income be deposited in this fund. The bill would provide that consistent with the intent of the Maine Revised Statutes, Title 8, section 1036, subsection 2, paragraph I, half of the money that otherwise would be deposited in the Fund to Stabilize Off-track Betting Facilities would be deposited in the General Fund for the administrative expenses of the Gambling Control Board. The bill would also provide that the other half of this money would be divided equally between the University of Maine System and the Maine Community College System for student scholarships.

LD 1436

An Act To Encourage a Vote-by-Mail System in Maine

ONTP

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

LD 1436 proposed amending the current absentee voting system to enhance voting by mail as follows:

1. It would repeal the application process for absentee voting;
2. It would require municipal clerks to mail ballots and return envelopes to registered voters 30 days before an election;
3. It would require the municipal clerk to verify the addresses of registered voters prior to mailing out ballots as provided in rules;
4. It would allow persons who register after absentee ballots were mailed out to request a ballot by mail or receive one in person from the municipal clerk;
5. It would provide a process for requesting an absentee ballot if that person was not automatically mailed one by the clerk or if that person is a uniformed service voter or an overseas voter; and