

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 1602

An Act Regarding Implementation of the Central Voter Registration System

PUBLIC 453

<u>Sponsor(s)</u> MITCHELL		<u>Committee Report</u> OTP-AM		<u>Amendments Adopted</u> S-331
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LD 1602 proposed to require a registrar of voters to place a voter registration application in the voter registration file within 5 days after receipt of the voter registration application.

Committee Amendment "A" (S-331) proposed to replace the bill and would update the election laws and introduces necessary procedural changes to reflect the changeover from over 500 individual municipal voter lists to the use by all municipalities of the central voter registration system. These changes would include adjusting the length of the closed period before each election, standardizing the use and time frame for verifying registrations using the acknowledgement notice and technical changes in terminology from "voting list" to either "incoming voting list" or "central voter registration system." The bill proposed clarifying reporting procedures for the municipalities to the Secretary of State. This bill would also establish the requirements on use and distribution of information contained in the central voter registration system.

Enacted law summary

Public Law 2005, chapter 453 updates the election laws and introduces necessary procedural changes to reflect the changeover from over 500 individual municipal voter lists to the use by all municipalities of the central voter registration system. These changes include adjusting the length of the closed period before each election, standardizing the use and time frame for verifying registrations using the acknowledgement notice and technical changes in terminology from "voting list" to either "incoming voting list" or "central voter registration system." Chapter 453 clarifies reporting procedures for the municipalities to the Secretary of State. This law also establishes the requirements on use and distribution of information contained in the central voter registration system.

LD 1608

Resolve, To Establish a Study Commission To Study Alternative Voting Procedures, the Citizen Initiative Process and Minor Party Ballot Access

RESOLVE 127

<u>Sponsor(s)</u> GAGNON PATRICK		<u>Committee Report</u> OTP-AM		<u>Amendments Adopted</u> H-712 DUPLESSIE H-718 PATRICK S-316
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LD 1608 proposed to authorize the establishment of the Commission To Study Methods To Improve Ballot Access.

Committee Amendment "A" (S-316) proposed changing the name of the study commission, altering the membership and including in the commission's duties the duty to inform the public about the fiscal implications of proposed citizen initiated legislation.

Joint Standing Committee on Legal and Veterans' Affairs

House Amendment "A" to Committee Amendment "A" (H-712) proposed to establish a study to look at alternative voting methods, minor party ballot access and the citizens' initiative process that would do the following.

1. It would reduce the commission's membership to include 6 Legislators, the Secretary of State or a designee and representatives from the Maine Municipal Association, the Maine Town and City Clerks' Association, the Maine Democratic Party and the Maine Republican Party.
2. It would provide that the Office of the Attorney General will provide additional staffing assistance.
3. It would authorize the commission to meet 3 times.

House Amendment "B" to Committee Amendment "A" (H-718) proposed to remove the emergency preamble and the emergency clause from the resolve.

Enacted law summary

Resolve 2005, chapter 127 authorizes the establishment of the Commission to Study Alternative Voting Procedures, the Citizen Initiative Process and Minor Party Ballot access. The Commission's membership includes 6 legislators, the Secretary of State or a designee and representatives from the Maine Municipal Association, the Maine Town and City Clerks' Association, the Maine Democratic Party and the Maine Republican Party. The Commission is authorized to hold 3 meetings and is required to issue its report, including suggested legislation, to the Legislature by December 7, 2005.

LD 1627 **An Act To Allow Dual Liquor Licenses for On-premises Consumption and Off-premises Retail Sales** **CARRIED OVER**

<u>Sponsor(s)</u> MITCHELL CANAVAN	<u>Committee Report</u>	<u>Amendments Adopted</u>
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LD 1627 allows dual liquor licenses for on-premises consumption and off-premises retail sales for fine wine stores that also prepare and sell food for consumption on their premises. This bill was carried over by H.P. 1023 to the next special or regular session of the 122nd Legislature.

LD 1641 **An Act To Create a Small Brewer Distiller License** **PUBLIC 377**

<u>Sponsor(s)</u> EDMONDS RICHARDSON J	<u>Committee Report</u> OTP-AM MAJ ONTP MIN	<u>Amendments Adopted</u> S-277
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LD 1641 proposed to establish a small distillery license.