

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

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*

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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

Enacted law summary

Resolve 2005, chapter 111 authorizes final adoption of portions of Chapter 1: Procedures; portions of Chapter 3: Maine Clean Election Act and Related Practices; and Campaign Reporting Forms for Candidates with the following changes:

In Chapter 1, section 7, with regard to the advance purchase of goods and services, the language must be changed to specifically include radio and television contracts and contracts for design work among the goods and services that, if contracted or paid for prior to the primary election, must be received prior to the primary election to be considered primary election expenditures. The language in Chapter 1, section 7, with regard to the advance purchase of goods and services, must also be changed to remove the requirement that a report be filed when a preponderance of goods purchased during the primary election cycle are used during the general election cycle. The change must also provide that, upon complaint regarding the use of goods and services purchased during a primary election during a general election, the commission may request an additional expenditure report.

Resolve 2005, chapter 111 was finally passed as an emergency measure and took effect on June 10, 2005.

LD 1686

An Act To Amend the Laws Governing Political Caucuses, Conventions and Committees

PUBLIC 387

<u>Sponsor(s)</u>	<u>Committee Report</u>	<u>Amendments Adopted</u>
GERZOFSKY BRYANT B		

LD 1686 proposed a number of changes to the laws governing political caucuses, conventions and committees. This bill was enacted on the floor without reference to any Committee.

Enacted law summary

Public Law 2005, chapter 387 makes the following changes to the laws governing political caucuses, conventions and committees.

1. It provides that a person who meets certain requirements may vote in any election in a municipality, including a biennial municipal caucus.
2. It provides that a person who has not attained 18 years of age may vote in a municipal caucus if that person will be at least 18 years of age as of the date of the next general election.
3. It changes gender-specific language.
4. It changes the requirements for the calling, timing and notice of a biennial municipal caucus.
5. It provides that delegates to a party's state convention must be qualified to vote in the party's primary election unless otherwise permitted by party rules.
6. It provides that a state convention shall elect a county committee for each county from persons nominated at municipal caucuses held in the county, unless party rules provide for county committee members to be elected directly by their respective municipalities.

Joint Standing Committee on Legal and Veterans' Affairs

7. It amends the provisions of law that govern the timing for committees to organize and report.

This bill was enacted without reference to a Joint Standing Committee of the Legislature.

LD 1690

An Act To Authorize, Subject to State Referendum, a Tribal Commercial Track and Slot Machines in Washington County

HELD BY GOVERNOR

Sponsor(s)
MOORE F
RAYE

Committee Report

Amendments Adopted

H-695
S-366

LD 1690 proposed the same bill as LD 1573 with the added provision that the bill be subject to a statewide referendum. Part A proposed L.D. 1573 as amended by Committee Amendment A and enacted by the Legislature and vetoed by the Governor.

Part B proposed to require the Act to be submitted to the legal voters at the next statewide election in the month of November following passage of this Act.

House Amendment "A" (H-695) proposed no change to Part A of the bill, which proposes to allow a tribal harness racing track and slot machines in Washington County. As an alternative to Part A, to be voted on at a statewide referendum, this amendment proposed a new Part that would allow a tribal harness racing track in Washington County, but would repeal laws that allow slot machines at any commercial harness racing tracks in the State. This amendment would require that these 2 alternatives be submitted to the legal voters at the next statewide election in November, as well as a 3rd alternative to approve neither of these proposals and would keep the law as it currently exists unchanged.

Senate Amendment "A" (S-366) proposed to require the statewide referendum to apply to all existing racinos. If the referendum were to pass, a tribal harness racing track and slot machines would be allowed in Washington County. If the referendum were to fail, all existing racinos would be disallowed.

LD 1690 was not referred to the Committee on Legal and Veterans' Affairs. This bill was enacted but was on the Governor's desk unsigned at the time this summary was completed.