

# MAINE STATE LEGISLATURE

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*State Of Maine  
122nd Legislature*

*Second Regular Session*

*Bill Summaries*

*Joint Standing Committee  
on  
Legal and Veterans' Affairs*

*July 2006*

**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. 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. Joan M. Nass  
Rep. Frederick J. Moore, III*

**Staff:**

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# Maine State Legislature



## Office of Policy and Legal Analysis Office of Fiscal and Program Review

### 122nd Maine Legislature Second 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 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/billsumm.htm](http://www.state.me.us/legis/opla/billsumm.htm)).

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:

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
P&S XXX.....	Chapter # of enacted Private & Special Law
PASSED.....	Joint Order passed in both bodies
PUBLIC XXX.....	Chapter # of enacted Public Law
RESOLVE XXX.....	Chapter # of finally passed Resolve
UNSIGNED (Pocket Veto).....	Bill held by Governor
VETO SUSTAINED.....	Legislature failed to override Governor's Veto

Please note that the effective date for all non-emergency legislation enacted in the Second Regular Session (unless otherwise specified in a particular law) is August 23, 2006.

*Joint Standing Committee on Legal and Veterans Affairs*

**LD 2067**

**Resolve, Regarding Legislative Review of Portions of Chapter 520: Rules Regarding Publication of Public Comments on Statewide Referenda, a Major Substantive Rule of the Department of the Secretary of State, Bureau of Corporations, Elections and Commissions**

**RESOLVE 180  
EMERGENCY**

<u>Sponsor(s)</u>		<u>Committee Report</u> OTP-AM		<u>Amendments Adopted</u> H-905
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LD 2067 proposed to provide for legislative review of portions of Chapter 520: Rules Regarding Publication of Public Comments on Statewide Referenda, a major substantive rule of the Department of the Secretary of State, Bureau of Corporations, Elections and Commissions.

**Committee Amendment “A” (H-905)** proposed to direct the Secretary of State to amend the provisionally adopted major substantive rule regarding publication of public comments on statewide referenda in the following ways:

1. With regard to the payment required for publication, the language must be changed so that cash is not included as a method of acceptable payment. Language must be changed to require that comments are due by 5:00 p.m. on the day prescribed in the provisionally adopted rule; and
2. With regard to the rejection of comments submitted to be included in the Citizen’s Guide, the language must be changed to provide a timeline by which the Secretary of State reviews the comments and then notifies the person that submitted the comments so that the submitter may correct the comments and resubmit them. This timeline must be similar to the one provided in Chapter 520, section 3.

***Enacted law summary***

Resolve 2005, chapter 180 directs the Secretary of State to amend the provisionally adopted major substantive rule regarding publication of public comments on statewide referenda in the following ways:

1. With regard to the payment required for publication, the language must be changed so that cash is not included as a method of acceptable payment. Language must be changed to require that comments are due by 5:00 p.m. on the day prescribed in the provisionally adopted rule; and
2. With regard to the rejection of comments submitted to be included in the Citizen’s Guide, the language must be changed to provide a timeline by which the Secretary of State reviews the comments and then notifies the person that submitted the comments so that the submitter may correct the comments and resubmit them. This timeline must be similar to the one provided in Chapter 520, section 3.

Resolve 2005, chapter 180 was finally passed as an emergency measure effective April 11, 2006.