

# MAINE STATE LEGISLATURE

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STATE OF MAINE  
123<sup>RD</sup> LEGISLATURE  
FIRST REGULAR SESSION



Summaries of bills and adopted amendments and laws enacted or finally passed during the First Regular Session of the 123<sup>rd</sup> Maine Legislature coming from the

**JOINT STANDING COMMITTEE ON LEGAL AND  
VETERANS' AFFAIRS**

July 2007

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\* Representative Stacey Fitts replaced former Representative Abigail Holman on the Legal and Veterans' Affairs Committee.

# STATE OF MAINE

123<sup>RD</sup> LEGISLATURE

FIRST REGULAR SESSION

## LEGISLATIVE DIGEST OF BILL SUMMARIES AND ENACTED LAWS



This *Legislative Digest of Bill Summaries and Enacted Laws* summarizes all bills and adopted amendments and all laws enacted or finally passed during the First Regular Session of the 123<sup>rd</sup> Maine Legislature, which was in session from December 6, 2006 to June 21, 2007.

The *Digest* is arranged alphabetically by committee, and within each committee by LD number. The committee report(s), prime sponsor and lead co-sponsor(s), if designated, are listed below each bill title. All adopted amendments are summarized and listed by paper number. A subject index is included with each committee. The appendices include a summary of relevant session statistics, an index of all bills by LD number and an index of enacted laws by law type and chapter number.

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 (or Accepted ONTP report).....	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.....	Bill held by Governor
VETO SUSTAINED.....	Legislature failed to override Governor's Veto

Please note that the effective date for non-emergency legislation enacted in the First Regular Session is **September 20, 2007**. The effective date for legislation enacted as an emergency measure is specified in the enacted law summary for those bills.

*Joint Standing Committee on Legal and Veterans Affairs*

- 9. Two percent for the Northern New England Passenger Rail Authority to support the operation of a train on the railroad line from Portland to the New Hampshire border;
- 10. One percent for the Department of Agriculture, Food and Rural Resources to be used for equine rescue and other animal protection programs; and
- 11. One percent for the municipality in which the slot machines are located.

LD 1879 was carried over pursuant to Joint Order, HP 1369.

**LD 1882 An Act To Clarify Certain Provisions in the Harness Racing Statutes**

**ONTP**

<u>Sponsor(s)</u>	<u>Committee Report</u>	<u>Amendments Adopted</u>
PERRY J	ONTP	

This bill amends the harness racing statutes to clarify that simulcast racing activities may be conducted within licensed racino operator facilities.

**LD 1889 An Act To Protect the Lives and Health of Members of the Maine National Guard**

**PUBLIC 318  
EMERGENCY**

<u>Sponsor(s)</u>	<u>Committee Report</u>	<u>Amendments Adopted</u>
CUMMINGS EDMONDS	OTP-AM	H-419

This bill creates the Commission to Protect the Lives and Health of Members of the Maine National Guard. The commission consists of 9 voting members and one or 2 advisory nonvoting members. The intent of the bill is to provide through the commission a higher and safer standard for preventive medical practices and health screenings administered to members of the Maine National Guard than currently exists.

The commission, working with the Department of Defense, Veterans and Emergency Management and the Department of Health and Human Services, Maine Center for Disease Control and Prevention, is required to review all preventive health care treatment practices and protocols and vaccinations and other medications administered to members of the Maine National Guard and propose recommendations to the Armed Forces of the United States regarding safer health care practices and medications. The commission shall also assist veterans' families who have members who have died while in the Maine National Guard to obtain accurate and timely information regarding the deaths. The commission shall track the care of wounded Maine National Guard members and help ensure good care.

The commission must hold at least 4 meetings a year, including one public hearing, to obtain information, including information provided by veterans and their families in regard to the issues that the commission is required to address.

Commission members include, among others, a physician, a psychologist, a pharmacist, a retired veteran who has served in a war zone, a family member of a deceased military person who died while serving in the Maine National Guard and a disabled veteran who suffered a disability while serving in a military capacity.

The commission must issue its first complete report by December 15, 2008 and an annual report thereafter.

**Committee Amendment "A" (H-419)**

This amendment clarifies that the Commission to Protect the Lives and Health of Members of the Maine National

## *Joint Standing Committee on Legal and Veterans Affairs*

Guard will also track the care of wounded service members of all military services. It also makes a technical change by adding the commission to the list of boards and commissions found in the Maine Revised Statutes, Title 5 and by referencing the role of the Maine Center for Disease Control and Prevention in Title 22, which governs health and welfare. This amendment includes a purpose section and clarifies a headnote.

### **Enacted Law Summary**

Public Law 2007, chapter 318 creates the Commission to Protect the Lives and Health of Members of the Maine National Guard. The commission consists of 9 voting members and one or 2 advisory nonvoting members. The intent of the bill is to provide through the commission a higher and safer standard for preventive medical practices and health screenings administered to members of the Maine National Guard than currently exists.

The commission, working with the Department of Defense, Veterans and Emergency Management and the Department of Health and Human Services, Maine Center for Disease Control and Prevention, is required to review all preventive health care treatment practices and protocols and vaccinations and other medications administered to members of the Maine National Guard and propose recommendations to the Armed Forces of the United States regarding safer health care practices and medications. The commission shall also assist veterans' families who have members who have died while in the Maine National Guard to obtain accurate and timely information regarding the deaths. The commission shall track the care of wounded Maine National Guard members and Armed Forces service members and help ensure good care.

The commission must hold at least 4 meetings a year, including one public hearing, to obtain information, including information provided by veterans and their families in regard to the issues that the commission is required to address.

Commission members include, among others, a physician, a psychologist, a pharmacist, a retired veteran who has served in a war zone, a family member of a deceased military person who died while serving in the Maine National Guard and a disabled veteran who suffered a disability while serving in a military capacity.

The commission must issue its first complete report by December 15, 2008 and an annual report thereafter.

Public Law 2007, chapter 318 was enacted as an emergency measure effective June 18, 2007.

### **LD 1898     An Act To Amend the Laws Pertaining to Lobbying**

**ONTP**

<u>Sponsor(s)</u>	<u>Committee Report</u>	<u>Amendments Adopted</u>
CANAVAN EDMONDS	ONTP	

This bill amends the definition of "lobbying" to include the solicitation of others to influence legislative action and defines "solicitation." The bill also requires a lobbyist to include in the lobbyist's monthly report to the Commission on Governmental Ethics and Election Practices the specific dollar amount of expenditures for solicitation.

The proposal in this bill is to be considered with LD 1393 which was carried over to the Second Regular Session of the 123rd Legislature.

### **LD 1921     An Act Regarding the Central Voter Registration System**

**PUBLIC 397  
EMERGENCY**

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