

MAINE STATE LEGISLATURE

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**STATE OF MAINE
119TH LEGISLATURE**

FIRST REGULAR SESSION

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

JULY 1999

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ONE HUNDRED NINETEENTH LEGISLATURE
FIRST REGULAR SESSION

Summary Of Legislation Before The Joint Standing and Select Committees
August 1999

We are pleased to provide this summary of all bills that were considered by the Joint Standing and 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 and select 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. 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).

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*
ENACTMENT FAILED..... *Bill failed to get vote required for enactment or final passage*
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 September 18, 1999.

Joint Standing Committee on Legal and Veterans Affairs

LD 55

An Act to Clarify Referendum Wording

**DIED BETWEEN
BODIES**

<u>Sponsor(s)</u>	<u>Committee Report</u>	<u>Amendments Adopted</u>
SHIELDS	OTP-AM MAJ ONTP MIN	

LD 55 proposed to require that the wording of referenda be phrased so that an affirmative vote would be in favor of the subject or issue in question rather than in favor of the petitioner's position.

Committee Amendment "A" (H-532) proposed to clarify the bill to include referendum questions on the ballot at a municipal election. This amendment was not adopted.

LD 71

An Act Regarding Commercial Beano Halls

PUBLIC 74

<u>Sponsor(s)</u>	<u>Committee Report</u>	<u>Amendments Adopted</u>
LABRECQUE DAGGETT	OTP-AM	H-126

LD 71 proposed to amend laws applicable to beano as follows.

1. It would create a commercial beano hall permit, which must be acquired by an individual, corporation, partnership or unincorporated association seeking to rent or lease a building or facilities for profit to an organization licensed to conduct beano.
2. The applicant seeking a commercial beano hall permit would be required to submit information and fingerprint cards to the Chief of the State Police for owners and the manager so a background investigation may be conducted prior to issuance of the permit. The chief would be able to deny a permit to an owner if the owner or manager has been convicted of murder or a Class A, B or C crime or a violation of the chapters in the Maine Criminal Code that cover theft, forgery, fraud or unlawful gambling.
3. A commercial beano hall permittee and the permittee's employees would be prohibited from being members of the licensee organizations that rent the hall.
4. A commercial beano hall permit would be valid for one year for a fee of \$500.
5. The Chief of the State Police would be able to adopt rules necessary for the regulation of the operation of commercial beano halls. These would be routine technical rules. The chief would be authorized to suspend or revoke a commercial beano hall permit after appropriate notice and the opportunity for a hearing.
6. Operating a commercial beano hall without a permit or in violation of the rules adopted regarding operation of the hall or beano would be considered a Class E crime.

Committee Amendment "A" (H-126) provided an exemption for agricultural fair associations from the licensing requirements applicable to commercial beano hall permittees provided the agricultural fair associations are licensed and

conducting beano or bingo games pursuant to the laws specific to that type of organization. The amendment also added an allocation section and fiscal note to the bill.

Enacted law summary

Public Law 1999, chapter 74 establishes a commercial beano hall permit for those seeking to rent or lease a building for profit to an organization licensed to conduct beano. It provides a process for application which includes submission of fingerprint cards and background investigations. It also lists circumstances under which the Chief of the State Police may deny a permit. A commercial beano hall permit is valid for one year for a fee of \$500 and stipulates that a permittee and the permittee's employees are prohibited from being members of the licensed organizations that rent the hall. Under this law, operation of a commercial beano hall without a permit is a Class E crime. Finally, the law authorizes the Chief of the State Police to adopt rules necessary for the regulation of this act and suspend or revoke licenses after appropriate notice of hearing.

LD 87

An Act to Require All Voting Places to be Accessible

PUBLIC 252

<u>Sponsor(s)</u>	<u>Committee Report</u>	<u>Amendments Adopted</u>
BAKER	ONTP MAJ	H-250
TREAT	OTP-AM MIN	H-445 BAKER S-258 DAGGETT

LD 87 proposed to require each municipality to provide at least one voting place that is accessible to persons with physical handicaps or impairments. Voters utilizing such accessible voting places would be permitted to use absentee ballots or be treated differently from other voters. This bill proposed to require such access at all voting places.

Committee Amendment "A" (H-250) proposed to add a fiscal note to the bill.

House Amendment "A" (H-445) required the Office of the Secretary of State and the Department of Administrative and Financial Services, Bureau of General Services to review the effects of this legislation and develop cost-saving recommendations to reduce costs of the mandate for any municipality affected by this legislation.

This amendment established a deadline for municipalities to have total polling place accessibility. All polling places located in publicly owned buildings must be accessible by April 1, 2000. All other polling places, such as churches, fraternal halls and other private facilities, must be accessible by July 1, 2001 if they are to be used by the municipality as polling places under this amendment.

Senate Amendment "A" (S-258) proposed to add a mandate preamble to the bill.