

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

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. Patricia A. Blanchette
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. Frederick J. Moore, III*

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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.

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that host the organizations that operate video gaming terminals. Host municipalities would receive their share in proportion to the amount of revenue generated by video gaming terminals in their municipality. As proposed, licenses would be issued for one year. The license fee per terminal would be \$500, and for wholesalers, manufacturers and operators, the fee would be \$3,500. Applicants for an initial license would pay the actual costs of processing the application and performing the background investigation.

The bill would also specify that any rules put forth by the Bureau of Alcoholic Beverages and Lottery Operations and the Chief of the State Police to administer and enforce the laws related to video gaming by nonprofits would be major substantive rules.

LD 1171 **An Act To Amend the Clean Election Law Regarding Disclaimers on Advertising** **ONTP**

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

LD 1171 proposed requiring a candidate who is a Maine Clean Election Act candidate to have a disclaimer on communications that state that the communication was paid for by the citizens of the State and authorized by the candidate.

LD 1173 **Resolve, Directing the Secretary of State To Design a Pilot Program for Early Voting** **RESOLVE 70**

<u>Sponsor(s)</u>	<u>Committee Report</u>	<u>Amendments Adopted</u>
DIAMOND MOORE G	OTP-AM	S-225

LD 1173 proposed directing the Secretary of State to design a process for early voting that would allow municipalities to permit early voting at a polling place up to 2 weeks prior to election day. The design would be submitted in a report to the Joint Standing Committee on Legal and Veterans Affairs.

Committee Amendment "A" (S-225) proposed to replace the bill. It would require the Secretary of State to design a pilot program for early voting for the November 2008 election. The Secretary of State would be required to select one volunteer municipality, and may select others, for the pilot program for early voting. The Secretary of State would be required to present its plan for the early voting pilot program to the joint standing committee of the Legislature having jurisdiction over legal and veterans affairs by February 15, 2007. The amendment proposed authorizing the committee to submit legislation to authorize the Secretary of State to conduct the early voting pilot program at the November 2008 general election.

Enacted law summary

Resolve 2005, chapter 70 requires the Secretary of State to design a pilot program for early voting for the November 2008 election. The Secretary of State is required to select one volunteer municipality, and may select others, for the pilot program for early voting. The Secretary of State must present its plan for the early voting

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pilot program to the joint standing committee of the Legislature having jurisdiction over legal and veterans' affairs by February 15, 2007. This law authorizes the committee to submit legislation to authorize the Secretary of State to conduct the early voting pilot program at the November 2008 general election.

LD 1174 **An Act To Strengthen Enforcement of the Political Signs Law** **ONTP**

<u>Sponsor(s)</u> DAMON		<u>Committee Report</u> ONTP		<u>Amendments Adopted</u>
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LD 1174 proposed making the improper placement of political signs a Class E crime punishable by a \$100 fine per sign per day and enforceable by the State Police and municipal law enforcement authorities and increasing the fine for taking, defacing or disturbing political signs from up to \$250 to up to \$1,000.

LD 1188 **An Act To Ensure Ready Access by Consumers to Information
Regarding Alcoholic Beverages and Gambling Activities while
Decreasing Gambling Abuse** **ONTP**

<u>Sponsor(s)</u> FAIRCLOTH		<u>Committee Report</u> ONTP		<u>Amendments Adopted</u>
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LD 1188 proposed the following.

1. It would require lottery advertisements to include the odds of winning the jackpot and the telephone number of statewide mental health crisis hotline administered by the Department of Health and Human Services that a person may call about gambling addiction.
2. It would prohibit the purchase of lottery tickets with a credit card.
3. It would require most alcohol retailers to post a sign listing the telephone number of statewide mental health crisis 24-hour hotline administered by the Department of Health and Human Services that a person may call who has substance abuse issues.
4. It would require the State Liquor and Lottery Commission to double the size of the print of the odds of winning on lottery tickets and to display on both sides of the ticket the odds of winning the jackpot and a 24-hour hotline telephone number.
5. It would direct the Commissioner of Health and Human Services to ensure that a statewide mental health crisis 24-hour hotline administered by the Department of Health and Human Services accepts calls from and provides referrals for persons who have alcohol or gambling issues or other substance abuse and addiction issues.
6. It would direct the Commissioner of Public Safety to create a sign listing the statewide mental health crisis 24-hour hotline administered by the Department of Health and Human Services that a person may call to discuss alcohol abuse issues and make the sign available on-line to be printed or upon request of a retail liquor licensee.