

MAINE STATE LEGISLATURE

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STATE OF MAINE
116TH LEGISLATURE

FIRST REGULAR SESSION

BILL SUMMARIES
JOINT STANDING COMMITTEE
ON
LEGAL AFFAIRS

JULY 1993

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**ONE HUNDRED AND SIXTEENTH LEGISLATURE
FIRST REGULAR SESSION**

**JOINT STANDING COMMITTEE
BILL SUMMARIES**

JULY 1993

This document is a compilation of the bill summaries prepared by this office for the Joint Standing Committees and Joint Select Committees of the Maine Legislature. The volume is organized alphabetically by committee; within each committee, the summaries are arranged by LD number. A subject index is provided at the beginning of each committee's summaries.

The committee report or reports, the prime sponsor for each bill and the lead co-sponsor in each house if one has been designated are listed below each bill title. All adopted amendments are listed, by paper number (e.g., H-584 or S-222), together with the sponsor for floor amendments. Final action on each bill is listed to the right of the title. Various types of final action are abbreviated as follows:

<i>PUBLIC XXX</i>	<i>Chapter # of enacted Public Law</i>
<i>P&S XXX</i>	<i>Chapter # of enacted Private & Special Law</i>
<i>RESOLVE XXX</i>	<i>Chapter # of enacted Resolve</i>
<i>CON RES XXX</i>	<i>Chapter # of Constitutional Resolution passed by both Houses</i>
<i>EMERGENCY</i>	<i>Enacted law takes effect sooner than 90 days</i>
<i>CARRIED OVER</i>	<i>Bill carried over to Second Session</i>
<i>ONTP</i>	<i>Ought Not to Pass report accepted</i>
<i>ENACTMENT FAILED</i>	<i>Bill failed to get majority vote</i>
<i>INDEF PP</i>	<i>Bill Indefinitely Postponed</i>
<i>FAILED EMERGENCY ENACTMENT</i>	<i>Emergency bill failed to get 2/3 vote</i>
<i>FAILED MANDATE ENACTMENT</i>	<i>Bill imposing local mandate failed to get 2/3 vote</i>
<i>DIED BETWEEN BODIES</i>	<i>House & Senate disagree; bill died</i>
<i>CONF CMTE UNABLE TO AGREE</i>	<i>Committee of Conference formed but unable to agree</i>
<i>VETO SUSTAINED</i>	<i>Legislature failed to override Governor's Veto</i>
<i>UNSIGNED</i>	<i>Not signed by Governor within 10 days</i>
<i>DIED ON ADJOURNMENT</i>	<i>Action incomplete when session ended; bill died</i>

These summaries were prepared by the analyst or analysts assigned to the committee. But, this document was produced by the efforts of all the office staff, including secretaries: Charlene Raymond and Valarie Parlin.

If you have any suggestions or comments on these summaries, please let us know.

4693NRG

SPONSOR(S)
WEBSTER

COMMITTEE REPORT
ONTP

AMENDMENTS ADOPTED

SUMMARY

This bill would have limited to \$100 the amount that a political committee, political action committee, corporation or association could donate to any one candidate per election. This limitation would not have applied to a candidate's own political committee. The bill also would have allowed political committees, political action committees, individuals and any other groups, whether registered or not, to make unlimited contributions to political parties; would have allowed political parties to make unlimited contributions to candidates up to 21 days before an election; would have restricted political parties from making any contributions to candidates within 21 days of an election; and would have required political parties to file reports with the Secretary of State 20 days before an election.

SPONSOR(S)
WHITCOMB

COMMITTEE REPORT
ONTP

AMENDMENTS ADOPTED

SUMMARY

This bill would have done the following:

1. Repealed the Maine Revised Statutes, Title 21-A, chapter 9, subchapter III, article III on inspection and recount;
2. Repealed Title 21-A, chapter 9, subchapter III, article IV on determination of disputed elections and enacted 2 new articles. Title 21-A, chapter 9, subchapter III, article V would have created a new recount and inspection system that would have shifted responsibility for the process to the courts. Specifically, the Chief Justice of the Supreme Court would have appointed a judge to act as overseer of the recount. In addition this article would have provided increased security by placing ballot security with the State Police throughout the entire recount process. Title 21-A, chapter 9, subchapter III, article VI would have created a new appeals board of 3 active retired justices, appointed by the Chief Justice of the Supreme Judicial Court. The remainder of the article would have incorporated language currently in law;
3. Clarified the residency requirement by eliminating the phrase "intent to return;"
4. Directed the Secretary of State to keep a record of the number of ballots furnished to each municipality and certify to the Governor the number furnished to each municipality on election day;
5. Specified that candidates and party workers must remain outside the guardrail enclosure during an election and included candidates and party workers among the people who must stay outside the guardrail enclosure;
6. Required that an absentee ballot request include the reason for requesting an absentee ballot;
7. Required that the return envelope in which an absentee ballot is placed include a statement regarding the reason for the absentee ballot request;
8. Restricted the receipt of or request for absentee ballots at a polling place on election day during the hours of operation;

9. Required the municipal officers to specify each specific time that the clerk intended to begin processing absentee ballots; and
10. Allowed the candidate's representative to make absentee ballot inspection requests.

LD 925 An Act to Authorize Video Gaming

ONTP

SPONSOR(S)	COMMITTEE REPORT		AMENDMENTS ADOPTED
PLOURDE	OTP-AM	MAJ	
CONLEY	ONTP	MIN	

SUMMARY

This bill would have authorized the operation of video lottery terminals and would have established the State's share of net terminal income at 40%.

Committee Amendment "A" (H-588) would have added the following changes to the original bill.

1. Defined "gray area machines."
2. Allowed the Chief of the State Police to direct the Director of the Bureau of Alcoholic Beverages and Lottery Operations to disable any video lottery terminal if the licensee were guilty of criminal conduct.
3. Clarified what types of establishments could be considered as applicants for video lottery terminal licenses.
4. Clarified that the qualifications for an individual license include that the applicant had not been involved in any criminal activity.
5. Established a local review and hearing process for municipalities that must occur before the Chief of the State Police could issue a license to an applicant.
6. Required that each video lottery terminal have language describing the odds of winning the game and the dangers of compulsive gambling displayed prominently on the terminal.
7. Required that video lottery terminals not accept more than a \$10 bill at one time.
8. Clarified that gray area machines are contraband, public nuisances and subject to confiscation by any law enforcement officer.
9. Required that employees of distributors who are involved in the distribution and maintenance of video lottery terminals meet a number of the qualifications that a person eligible for a video lottery terminal license must meet.
10. Clarified that a partnership, corporation, person, individual partner, shareholder of more than 5% of a corporation or a family member of a person, individual partner or shareholder of more than 5% of a corporation may not have ownership interests in more than one distributor.
11. Required that licensing fees be paid to the Video Lottery Fund.
12. Allowed the Chief of the State Police to suspend a video lottery terminal license for no more than 180 days, and a the Chief could only suspend a license if the chief received a written statement made under oath by a law enforcement officer establishing probable cause for suspension.