

MAINE STATE LEGISLATURE

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STATE OF MAINE
116TH LEGISLATURE

SECOND REGULAR SESSION

BILL SUMMARIES
JOINT STANDING COMMITTEE
ON
LEGAL AFFAIRS

MAY 1994

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Sen. James R. Handy
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**ONE HUNDRED AND SIXTEENTH LEGISLATURE
SECOND REGULAR SESSION**

**JOINT STANDING COMMITTEE
BILL SUMMARIES**

MAY 1994

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, 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:

PUBLIC XXX

P&S XXX

RESOLVE XXX

CON RES XXX

EMERGENCY

ONTP

INDEF PP

FAILED ENACTMENT

FAILED EMERGENCY ENACTMENT

FAILED MANDATE ENACTMENT

DIED BETWEEN BODIES

CONF CMTE UNABLE TO AGREE

VETO SUSTAINED

UNSIGNED

DIED ON ADJOURNMENT

Chapter # of enacted Public Law

Chapter # of enacted Private & Special Law

Chapter # of enacted Resolve

Chapter # of Constitutional Resolution passed by both Houses

Enacted law takes effect sooner than 90 days

Ought Not to Pass report accepted

Bill Indefinitely Postponed

Bill failed to get majority vote

Emergency bill failed to get 2/3 vote

Bill imposing local mandate failed to get 2/3 vote

House & Senate disagree; bill died

Committee of Conference unable to agree; bill died

Legislature failed to override Governor's Veto

Not signed by Governor within 10 days

Action incomplete when session ended; bill died

These summaries were prepared by the analyst or analysts assigned to the committee. If you have any suggestions or comments on the summaries, please let us know.

5581LHS

has no clear authority to investigate. The amendment further directs the commission to report its recommendations and any proposed legislation that clarifies and, if necessary, expands the commission's jurisdiction to the joint standing committee of the Legislature having jurisdiction over legal affairs by January 30, 1995.

The amendment also adds a fiscal note.

**LD 1979 An Act to Allow Firearms Dealers, Importers and
Manufacturers to Comply with the Brady Handgun Violence
Prevention Act**

ONTP

SPONSOR(S)
CLUKEY

COMMITTEE REPORT
OTP-AM MAJ
ONTP MIN

AMENDMENTS ADOPTED

SUMMARY

The Brady Handgun Violence Prevention Act requires firearms dealers, importers and manufacturers to request the chief law enforcement officer of the place of residence of a potential handgun purchaser to conduct a criminal background check before transferring the handgun to the purchaser. This bill would have required the dealers, importers and manufacturers to pay a fee for that service. The fee would have been distributed in appropriate proportions to the State Bureau of Identification, the State Police administrative licensing division and the law enforcement agency conducting the check. The fees collected and distributed would have been used to cover the cost of providing the service.

COMMITTEE AMENDMENT "A" (H-971), the majority report of the committee, would have replaced the original bill.

This amendment would have made minor technical corrections to the bill.

The amendment also would have added an allocation section and a fiscal note.

HOUSE AMENDMENT "A" (H-990) would have replaced the committee amendment.

This amendment would have incorporated the statutory language from Committee Amendment "A" but also would have deleted the emergency preamble and the emergency clause from the bill and replaced the allocation section and fiscal note of the amendment.

HOUSE AMENDMENT "B" (H-994) would have replaced the committee amendment. The committee amendment would have imposed a fee on firearms dealers, importers or manufacturers who request the criminal background check required by federal law. This amendment would have eliminated the fee and appropriated from the General Fund those funds necessary for conducting the criminal background checks.

**LD 1995 An Act to Establish Fairness in the Placement of On-line
Lottery Machines**

PUBLIC 641
EMERGENCY

SPONSOR(S)

COMMITTEE REPORT

AMENDMENTS ADOPTED

SUMMARY

This bill establishes an appeals process for applicants who are denied licenses to sell lottery tickets. An applicant who is denied a license by the Director of the Bureau of Alcoholic Beverages and Lottery Operations may appeal the decision to the State Liquor and Lottery Commission within 15 days of the mailing of the director's decision. An applicant who is aggrieved by the decision of the commission may

then file a complaint with the Administrative Court. The complaint must be served on the commission and serving and filing of the complaint must be completed within 30 days of the mailing of the commission's decision.

The bill was created pursuant to joint order.

**LD 2013 An Act to Clarify Reporting Requirements for Party
Committees and Political Action Committees**

PUBLIC 715

SPONSOR(S)
PARADIS P

COMMITTEE REPORT

AMENDMENTS ADOPTED
H-1126 BENNETT

SUMMARY

This bill adds a subchapter to the campaign finance and reporting laws that defines political causes and expands the reporting requirements for party committees and political action committees to include expenditures on behalf of political causes.

This bill requires a party committee or political action committee to report to the Commission on Governmental Ethics and Election Practices the issue or matter of public concern that is the subject of the expenditure and the date and amount of each expenditure.

When a party committee or political action committee makes an expenditure to finance a communication, through advertising, concerning a political cause, the communication or political action committee that authorized and made or financed the expenditure for the communication.

This bill was never referred to committee.

House Amendment "B" (H-1126) replaces the original bill and requires all expenditures of all kinds to be reported by party committees and political action committees.

The amendment also replaces the fiscal note.

House Amendment "A" (H-1125) would have changed the term "party committee" to "political action committee", which was the intent of the bill.