

# MAINE STATE LEGISLATURE

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**STATE OF MAINE  
117TH LEGISLATURE**

**SECOND REGULAR SESSION**

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

**JUNE 1996**

**MEMBERS:**

*Sen. Norman K. Ferguson, Jr., Chair*

*Sen. Albert G. Stevens, Jr.*

*Sen. Michael H. Michaud*

*Rep. Harry G. True, Chair*

*Rep. Guy R. Nadeau*

*Rep. Albert P. Gamache*

*Rep. Nancy L. Chizmar*

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*Rep. Kenneth F. Lemont*

*Rep. John T. Buck*

*Rep. Janice E. Labrecque*

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**ONE HUNDRED SEVENTEENTH LEGISLATURE  
SECOND REGULAR SESSION**

***Summary Of Legislation Before The Joint Standing Committees  
June 1996***

We are pleased to provide this summary of bills that were considered by the 15 Joint Standing Committees of the Maine Legislature staffed by this office. The document is a compilation of bill summaries which describe each bill, committee amendments and other relevant amendments, as well as the final action taken on the bill. 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 handled by the joint standing committees. It is organized alphabetically 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.

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:

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

Please note the effective date for all non-emergency legislation enacted in the Second Regular Session (unless otherwise specified in a particular law) is July 4, 1996.

**LD 1742 An Act to Amend the Liquor Licensing Laws**

PUBLIC 558  
EMERGENCY

Sponsor(s)  
STONE

Committee Report  
OTP-AM

Amendments Adopted  
H-726  
S-447

LD 1742, originally titled “An Act to Amend the Definition of Outdoor Stadium in the Liquor Licensing Laws,” proposed to allow a stadium with 3,000 or more seats to be a licensed establishment for purposes of selling wine or malt liquors at times when the facility is being used for the playing of professional baseball. The bill proposed to allow concessionaires or lessees of such facilities to be issued licenses for the sale of wine or malt liquor.

**Committee Amendment "A" (H-726)** proposed to permit curling clubs to obtain licenses to sell liquor to be consumed on premises, to make a technical change in the bill, to amend the title of the bill and to add a fiscal note to the bill.

**Senate Amendment "A" To Committee Amendment "A" (S-447)** proposed a further technical change to the bill.

*Enacted law summary*

Public Law 1995, chapter 558 allows a stadium with 3,000 or more seats to be a licensed establishment for purposes of selling wine or malt liquors at times when the facility is being used for the playing of professional baseball and permits a curling club to obtain a license to sell liquor to be consumed on premises.

**LD 1744 An Act to Revise the State Active Service Laws**

PUBLIC 600

Sponsor(s)  
NADEAU

Committee Report  
OTP-AM

Amendments Adopted  
H-784

LD 1744 proposed to authorize the Governor, the Adjutant General and the Deputy Adjutant General to order any member of the Maine National Guard into active state service for any purpose if the member consents. This bill proposed to remove the authority of the local sheriffs and Justices to call the Maine National Guard into state service. The bill proposed to add "helicopter airlift service" as an authorized service under state active service law. It proposed to remove a reference to the source of funding for the Commissioner of Human Services to reimburse the Maine National Guard for rendering emergency assistance.

The bill proposed to change the notice requirements for state service. It also proposed to provide that a commissioned officer does not enjoy the rights, authority and immunity of a law enforcement officer unless the officer is called up in emergency situations.

**Committee Amendment "A" (H-784)** proposed to remove the emergency preamble and emergency clause. The amendment proposed to retain existing law allowing a Justice of the Supreme Judicial Court, a Justice of the Superior Court, a county sheriff and certain local officials to request assistance from the state military forces under certain circumstances.

The amendment proposed to remove the provision in the bill that would have allowed the Adjutant General and the Deputy Adjutant General to order a member of the Maine National Guard, with the member's consent, to perform active state service. The amendment proposed to grant this authority to the Governor or the Governor's designee. The amendment proposed to add an allocation section and a fiscal note.

***Enacted law summary***

Public Law 1995, chapter 600 authorizes the Governor or the Governor's designee to order any member of the Maine National Guard into active state service for any purpose if the member consents. It adds "helicopter airlift service" as an authorized service under state active service law. It removes the reference in law to the source of funding for the Commissioner of Human Services to reimburse the Maine National Guard for rendering emergency assistance. It requires reasonable notice, appropriate to the duty to be performed, to members of the state military forces prior to their being called into active state service. It provides that a commissioned officer does not enjoy the rights, authority and immunity of a law enforcement officer unless the officer is called up in emergency situations.

**LD 1785      An Act Relating to Payment of Tri-state Lotto Prizes      PUBLIC 652**

<u>Sponsor(s)</u> NADEAU FERGUSON	<u>Committee Report</u> OTP-AM	<u>Amendments Adopted</u> H-773
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LD 1785 proposed to permit the voluntary assignment of Tri-state Lotto prizes. The bill proposed to permit an assignor of a prize to cancel the assignment within 45 business days after the assignment agreement is signed. This bill also proposed to permit the prizewinner to pledge future prize payments as collateral for a loan. The bill proposed that provisions of the bill permitting the assignment or pledge of prizes would be repealed if the United States Internal Revenue Service or a court rules, with regard to prizes that are not assigned or pledged, that the right to do so requires the taxation of the entire prize in the year in which it is received rather than the years in which amounts are actually paid.

**Committee Amendment "A" (H-773)** proposed to reduce the period in which the assignor of a prize is permitted to cancel an assignment to 15 business days

***Enacted law summary***

Public Law 1995, chapter 652 permits the voluntary assignment of Tri-state Lotto prizes. It permits a prizewinner to cancel an assignment within 15 business days after an assignment agreement is signed. It also permits the prizewinner to pledge future prize payments as collateral for a loan. This law does not become effective until concurrent legislation is enacted by New Hampshire and Vermont

**LD 1823      An Act to Reform Campaign Finance      DIED BETWEEN BODIES**

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