

# MAINE STATE LEGISLATURE

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STATE OF MAINE  
118TH LEGISLATURE

SECOND REGULAR SESSION  
AND  
SECOND SPECIAL SESSION

BILL SUMMARIES  
JOINT STANDING COMMITTEE  
ON  
LEGAL AND VETERANS' AFFAIRS

MAY 1998

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**ONE HUNDRED EIGHTEENTH LEGISLATURE**  
**SECOND REGULAR AND SECOND SPECIAL SESSIONS**

**Summary Of Legislation Before The Joint Standing Committees**  
**May 1998**

We are pleased to provide this summary of bills that were considered by the Joint Standing Committees of the Maine Legislature. 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 handled by the joint standing 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](http://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:

- 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
- 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 Second Regular Session (unless otherwise specified in a particular law) is June 30, 1998 and July 9, 1998 for the Second Special Session. Second Special Session laws include Public Laws beginning with Chapter 718, Private and Special Laws beginning with Chapter 82 and Resolves beginning with Chapter 117.

<u>Sponsor(s)</u>	<u>Committee Report</u>	<u>Amendments Adopted</u>
TRUE FERGUSON	OTP-AM	H-965

LD 2047 proposed to amend the statutes pertaining to the enforcement of beano, bingo, Lucky 7 and games of chance laws as recommended by the Governor's Advisory Committee on Gambling as follows.

1. It proposed to give the Chief of the State Police the authority to investigate alleged violations of the laws pertaining to beano, bingo, Lucky 7 and games of chance in the Maine Revised Statutes, Title 17 and gambling laws in the Maine Criminal Code and authority to administratively suspend or revoke licenses for violations.
2. License fees would be increased to cover the costs associated with enforcement and the administrative regulation of the licensees.
3. Organizations licensed to conduct beano, bingo and Lucky 7 would prohibited from renting space to conduct a game from a member of the licensed organization or an immediate family member of a member of a licensed organization.
4. Organizations licensed to conduct beano, bingo, Lucky 7 and games of chance would be required to post net revenues and donations to charitable and nonprofit activities.

**Committee Amendment “A” (H-965)** proposed to change the yearly fees for beano, bingo and games of chance licenses from \$432 to \$400 and \$720 to \$700, respectively. This amendment would add a special license fee of \$5 per game. This amendment would remove the proposed renting restrictions placed upon licensed organizations as applied to the operation of beano and bingo games, and clarify that a request for a hearing must be granted to a licensee by the Commissioner of Public Safety in accordance with the Maine Administrative Procedure Act.

**Senate Amendment “A” (S-608)**, which was not adopted, proposed to permit a federally recognized Indian tribe to conduct high-stakes beano or bingo at the site of the Scarborough Downs race-track in the Town of Scarborough.

*Enacted law summary*

Public Law 1997, chapter 684 authorizes the Chief of the State Police to investigate alleged violations of the laws pertaining to beano, bingo, Lucky 7 and games of chance and administratively suspend or revoke licenses for violations in accordance with the Maine Administrative Procedures Act. Weekly, monthly and yearly fees for beano, bingo and games of chance and a special per-game license fee for beano or bingo are established by this law. In addition, this law requires organizations licensed to conduct beano, bingo, Lucky 7 and games of change to post net revenues and donations to charitable and nonprofit activities.

<u>Sponsor(s)</u>	<u>Committee Report</u>	<u>Amendments Adopted</u>
WHEELER E KIEFFER	OTP-AM	

LD 2052 proposed to authorize Dan Corey and Nu Seed Corporation to sue the State for the damages that they allegedly suffered in connection with the decertification of the 1996 seed potato crop.

**Committee Amendment "A" (H-933)** proposed to change the resolve from a resolve that authorizes suit against the State to a resolve that requires payment of \$250,000 to Dan Corey and Nu Seed Corporation in settlement of losses suffered as a result of the decertification of the 1996 seed potato crop.

The bill was not enacted, but the supplemental budget bill (Public Law 1997, chapter 643, section ZZ-1) authorized payment to Dan Corey and Nu Seed Corporation of \$125,000 from the Risk Management Fund in settlement of claims.

**LD 2054                      An Act to Make Voting Places Handicapped Accessible                      ONTP**

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

LD 2054 proposed to require that all voting places be accessible to persons with physical disabilities.

**LD 2075                      Resolve, to Allow David Prentiss to Sue the State of Maine                      UNSIGNED**

<u>Sponsor(s)</u>	<u>Committee Report</u>	<u>Amendments Adopted</u>
O'NEAL KIEFFER	OTP-AM    MAJ ONTP        MIN	H-841 H-851    WHEELER E

LD 2075 proposed to authorize David Prentiss to sue the State and certain employees of the Department of Environmental Protection to recover damages up to \$250,000 that were allegedly incurred due to the listing of his property as an uncontrolled hazardous waste site by the Department of Environmental Protection.

**Committee Amendment "A" (H-841)** proposed to remove authorization for Mr. Prentiss to sue individual past and present employees of the Department of Environmental Protection.

**House Amendment "A" (H-851)** proposed to limit the amount of money that David Prentiss can receive from the State to \$70,000 and to remove the emergency preamble and emergency clause.