

MAINE STATE LEGISLATURE

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**STATE OF MAINE
119TH LEGISLATURE**

FIRST REGULAR SESSION

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

JULY 1999

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ONE HUNDRED NINETEENTH LEGISLATURE
FIRST REGULAR SESSION

Summary Of Legislation Before The Joint Standing and Select Committees
August 1999

We are pleased to provide this summary of all bills that were considered by the Joint Standing and 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 and select 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. 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).

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
ENACTMENT FAILED..... Bill failed to get vote required for enactment or final passage
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 September 18, 1999.

Committee Amendment "A" (H-526) proposed to transfer approval for appointments and reporting requirements for the Maine State Harness Racing Commission from the joint standing committee of the Legislature having jurisdiction over agricultural matters to the joint standing committee of the Legislature having jurisdiction over harness racing.

House Amendment "A" to Committee Amendment "A" (H-528) was presented on behalf of the Committee on Bills in the Second Reading to add the preamble necessitated by the change in confirmation procedures proposed by Committee Amendment "A."

Enacted law summary

Public Law 1999, chapter 394 changes current law which provides that harness racing may not commence until 1 p.m. on Sunday. Public Law 1999, chapter 394 extends a Sunday raceday by one hour, permitting racing to commence at noon.

LD 1042 **An Act to Require Liability Insurance for Sellers of Liquor Consumed on the Premises** **ONTP**

<u>Sponsor(s)</u> THOMPSON	<u>Committee Report</u> ONTP	<u>Amendments Adopted</u>
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LD 1042 proposed to require all licensees serving liquor for on-premise consumption to obtain at least \$250,000 of liquor liability insurance. Failure to maintain that insurance would result in suspension or revocation of license under this bill.

LD 1043 **An Act to Clarify the Guidelines for the Allocation of Tri-state Lottery Machines** **ONTP**

<u>Sponsor(s)</u> NASS	<u>Committee Report</u> ONTP	<u>Amendments Adopted</u>
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LD 1043 proposed to amend the factors considered by the Tri-state Lotto Commission when issuing a license to include seasonal and cross-border potential sales. It proposed to require that the commission provide a detailed report to an applicant who is denied a license, including proof that all considerations were properly evaluated and specifying the reason for the denial.

LD 1051 **An Act to Apportion State Lottery Funds to Pay for Quality Early Care and Education** **ONTP**

<u>Sponsor(s)</u> LONGLEY	<u>Committee Report</u> ONTP A OTP-AM B OTP-AM C	<u>Amendments Adopted</u>
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LD 1051 proposed to require that 10% of the State's share of all proceeds deposited into the State Lottery Fund be appropriated to the Department of Human Services to be used for Head Start and child care services.

Committee Amendment "A" (S-233) was a minority report of the Joint Standing Committee on Legal and Veterans Affairs which proposed to delay the effective date until the fiscal year beginning in July of 2000 and add an appropriation section to the bill.

Committee Amendment "B" (S-234) was a minority report of the Joint Standing Committee on Legal and Veterans Affairs which proposed to distribute 10% of all proceeds deposited into the State Lottery Fund to the Child Care Advisory Council to support Head Start and child care services and add an appropriation section to the bill.

LD 1068 **An Act to Clarify Municipal Obligations to an Unlicensed Mobile Home Park** **PUBLIC 203**

<u>Sponsor(s)</u> LAWRENCE		<u>Committee Report</u> OTP		<u>Amendments Adopted</u>
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LD 1068 proposed to permit a municipality that forecloses and takes possession of real estate on which is located an unlicensed mobile home park to close the park and, with at least 30 days' prior written notice, evict the inhabitants, if the municipality determines the park poses a risk to public health, welfare or safety. A municipality that takes possession of real estate on which is located an unlicensed mobile home park would not enter a landlord and tenant relationship with any inhabitants of the park and would not be subject to the laws governing landlord and tenant relations under this bill. These provisions are not proposed to apply to a municipality that is or becomes the licensed operator of the mobile home park.

Enacted law summary

Public Law 1999, chapter 203 states that in the event that a municipality determines a mobile home park poses a risk to public health and that municipality forecloses and takes possession of the real estate on which the park is located, the municipality is permitted to close the park and evict the inhabitants with at least 30 days' prior written notice. Such an action does not constitute a landlord-tenant relationship and the law does not apply to a municipality that is or becomes the licensed operator of the mobile home park.

LD 1073 **An Act to Relate the State Liquor Tax to the Amount Transferred to the General Fund** **PUBLIC 166**

<u>Sponsor(s)</u> CASSIDY		<u>Committee Report</u> OTP		<u>Amendments Adopted</u>
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LD 1073 proposed to clarify the method for setting the list price for spirits and fortified wine.

This bill was submitted on behalf of the Department of Administrative and Financial Services.

Enacted law summary

Public Law 1999, chapter 166 clarifies current law to state that the amount of state liquor tax from the sale of all spirits and fortified wine should total an amount substantially equal to the amount of state liquor tax collected the previous fiscal year. Thus, list prices for spirits and fortified wine shall be established accordingly.