

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.

LD 1074

An Act to Change the Percent of Gross Sales of Tri-State Lotto That May Be Paid Out As Prizes

PUBLIC 64

| <u>Sponsor(s)</u> | <u>Committee Report</u> | <u>Amendments Adopted</u> |
|-------------------|-------------------------|---------------------------|
| CAREY | OTP | S-30 DAGGETT |

LD 1074 proposed to increase from 50% to 60% the percentage of Tri-state Lotto proceeds that may be paid out as prizes from 50% to 60%.

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

Senate Amendment "A" (S-30) added a fiscal note to the bill.

Enacted law summary

Public Law 1999, chapter 64 increases the percentage of Tri-state Lotto proceeds that may be paid out as prizes from 50% to 60%.

LD 1077

An Act to Prevent Minors from Acquiring Beer-making or Wine-making Equipment

PUBLIC 103

| <u>Sponsor(s)</u> | <u>Committee Report</u> | <u>Amendments Adopted</u> |
|-------------------|-------------------------|---------------------------|
| O'GARA TUTTLE | OTP | |

LD 1077 proposed to prohibit the sale or furnishing of equipment that is specifically constructed, manufactured or marketed for the purpose of brewing malt liquor or fermenting or making wine to a person who is under 21 years of age except by a parent, legal guardian or custodian for use in a supervised manner. It would also prohibits possession of the equipment by a person who is under 21 years of age, unless the person is working in the scope of employment or is in the person's own home under the supervision of a parent, legal guardian or custodian. Both offenses are civil violations.

Enacted law summary

Public Law 1999, chapter 103 prohibits the sale or furnishing of equipment for making beer or wine to a person under the age of 21 years except by a legal guardian for use under supervision. The prohibition does not apply when the use of the equipment is within the scope of the minor's employment. A violation of this provision is a civil offense.

LD 1078

An Act to Extend Term Limits for Elected Officials and Constitutional Officers

DIED IN CONCURRENCE

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

LD 1078 proposed to extend the number of years of service authorized under the term limits law from eight to 12 years for Legislators, the Secretary of State, the Treasurer of State and the Attorney General and from eight to 12 years for the State Auditor. The bill would have also required that the voters of the State vote on this matter at the general election held in the year 2000.

Committee Amendment "A" (S-262) proposed to change the year the referendum question to extend term limits will be placed on the statewide ballot from 2000 to 1999. This amendment was not adopted.

House Amendment "A" to Committee Amendment "A" (H-707) proposed to require the extension of term limits for elected officials and constitutional officers as proposed in the bill to be submitted to the voters of this State only if, within 90 days of adjournment of the First Regular Session of the 119th Legislature, Legislators gather a number of signatures greater than or equal to 10% of the number of votes cast for Governor in the 1998 gubernatorial election. Signatures must be collected in each county. This amendment was not adopted.

Senate Amendment "A" (S-438) proposed to prevent those elected officials and constitutional officers that are in office on July 1, 1999 from benefiting from the extension of term limits and would change the referendum question to reflect this limitation. This amendment was not adopted.

LD 1102 **An Act to Reduce the Limitations on Nonprofit Organizations Holding Games of Chance** **PUBLIC 295**

| | | | | |
|------------------------------|--|-----------------------------------|--|------------------------------------|
| <u>Sponsor(s)</u> CAMERON | | <u>Committee Report</u> OTP-AM | | <u>Amendments Adopted</u> H-468 |
|------------------------------|--|-----------------------------------|--|------------------------------------|

LD 1102 proposed to allow nonprofit organizations to conduct games of chance once every six months for a maximum of three consecutive days. This bill removes that restriction.

Committee Amendment "A" (H-468) proposed to remove the restriction in current law regarding the number of licensed games of chance that may be operated by nonprofit organizations. This amendment would restore the restrictive language. It further proposed to amend the bill by changing current law, which allows nonprofit organizations to conduct games of chance once every six months for a maximum of three consecutive days, to allow for games to be conducted once every three months for two consecutive days.

Enacted law summary

Public Law 1999, chapter 295 amended existing law which allowed nonprofit organizations to conduct games of chance once every six months for a maximum of three consecutive days, to allow for games to be conducted once every three months for two consecutive days. This increases the number of days a nonprofit can conduct games from six to eight per calendar year.

LD 1124 **Resolve, to Allow David Prentiss to Sue the State** **ONTP**

| | | | | |
|--------------------------------------|--|---------------------------------|--|---------------------------|
| <u>Sponsor(s)</u> O'NEAL CAREY | | <u>Committee Report</u> ONTP | | <u>Amendments Adopted</u> |
|--------------------------------------|--|---------------------------------|--|---------------------------|

LD 1124 proposed to authorize David Prentiss to sue the State. The resolve would have authorized David Prentiss to recover damages up to \$70,000 that were incurred due to the mislabeling by the Department of Environmental Protection of his business property as contaminated.