

MAINE STATE LEGISLATURE

The following document is provided by the
LAW AND LEGISLATIVE DIGITAL LIBRARY
at the Maine State Law and Legislative Reference Library
<http://legislature.maine.gov/lawlib>



Reproduced from electronic originals
(may include minor formatting differences from printed original)

**STATE OF MAINE
119TH LEGISLATURE**

FIRST REGULAR SESSION

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

JULY 1999

Staff:

*Danielle D. Fox, Legislative Analyst
Christopher J. Spruce, Legislative Analyst*

*Office of Policy and Legal Analysis
Room 101/107/135, 13 State House Station
Augusta, ME 04333
(207)287-1670*

MEMBERS:

*Sen. Beverly C. Daggett, Chair
Sen. Richard J. Carey
Sen. Norman K. Ferguson, Jr.*

*Rep. John L. Tuttle, Jr., Chair
Rep. Lillian LaFontaine O'Brien
Rep. Nancy L. Chizmar
Rep. Charles D. Fisher
Rep. Rosita Gagne
Rep. Janice E. Labrecque
Rep. Arthur F. Mayo, III
Rep. Royce W. Perkins
Rep. Theodore H. Heidrich
Rep. Terrence P. McKenney*



Maine State Legislature
OFFICE OF POLICY AND LEGAL ANALYSIS

13 State House Station, Augusta, Maine 04333-0013
Telephone: (207) 287-1670
Fax: (207) 287-1275

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.

Enacted law summary

Public Law 1999, chapter 288 provides that the Maine Veterans' Homes can provide nonnursing facility care and services to eligible Maine veterans, if approved by federal and state authorities. This law also requires that stipend received from the federal Veterans' Administration and retained by the Maine Veterans' Homes are to be used primarily for the payment of debt service on the debt payable by the Maine Veterans' Homes.

LD 1901 An Act to Prohibit the Scalping of Entertainment Tickets CARRIED OVER

<u>Sponsor(s)</u> SULLIVAN		<u>Committee Report</u>		<u>Amendments Adopted</u>
-------------------------------	--	-------------------------	--	---------------------------

LD 1901, which has been carried over to the Second Regular Session, proposes to make it unlawful to resell a ticket to a sporting event or other public entertainment at a public facility at an inflated price, a practice commonly known as "ticket scalping."

LD 1903 Resolve, to Study the Needs of Maine Veterans and Their Families ONTP

<u>Sponsor(s)</u> GERRY RUHLIN		<u>Committee Report</u> ONTP		<u>Amendments Adopted</u>
--------------------------------------	--	---------------------------------	--	---------------------------

LD 1903 proposed to establish the Commission to Study the Needs of Maine Veterans and Their Families. It would have required a report to the Legislature by January 1, 2000.

LD 1918 An Act to Change Certain Laws Affecting the State Legislature ONTP

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

LD 1918 proposed to change current law to permit the Governor, a member of the Legislature or any constitutional officer or their staffs to accept campaign contributions up until the second day of January after the Legislature convenes instead of the date on which the Legislature convenes. This bill would have also specified that only lobbyists or lobbyist associates that are registered in this State are prohibited from contributing to campaigns during the time when the Legislature is meeting.

LD 1932 An Act to Create the Beano and Games of Chance Commission CARRIED OVER

<u>Sponsor(s)</u> CAREY		<u>Committee Report</u>		<u>Amendments Adopted</u>
----------------------------	--	-------------------------	--	---------------------------

LD 1932, which has been carried over to the Second Regular Session, proposes to create the Beano and Games of Chance Commission. It is proposing to replace the Chief of the State Police as the administrator of the beano and

games of chance laws with the commission. The Chief of the State Police remains the enforcement body with regard to beano and games of chance.

The Beano and Games of Chance Commission would consist of five members appointed by the Governor and subject to approval by the joint standing committee of the Legislature having jurisdiction over legal and veterans affairs.

LD 1938 **An Act to Provide Equity for Veterans of the Vietnam War and the Persian Gulf Conflict** **PUBLIC 462**

<u>Sponsor(s)</u>	<u>Committee Report</u>	<u>Amendments Adopted</u>
LAWRENCE	OTP-AM	S-291 S-330 DAGGETT

LD 1938 proposed to expand the description of the Persian Gulf War period in various provisions of law to coincide with the federally recognized war period. It proposed to give Persian Gulf War veterans the same preferences in employment, rights to burial in the Veterans' Memorial Cemetery and property tax exemptions as veterans of other wars.

Committee Amendment "A" (S-291) proposed to add a mandate preamble and a fiscal note to the bill.

Senate Amendment "A" (S-330) proposed to extend to Vietnam veterans who served in the Republic of Vietnam during the federally recognized period the same preferences in employment, rights to burial in the Veterans' Memorial Cemetery and property tax exemptions that veterans of other wars receive.

Enacted law summary

Public Law 1999, chapter 462 expands the description of the Persian Gulf War to coincide with the federally recognized war period. It gives those who served in the Persian Gulf War or those who served in the Republic of Vietnam during the Vietnam War the same preferences in employment, rights to burial in the Veterans' Memorial Cemetery and property tax exemptions that veterans of other wars receive.

LD 1945 **Resolve, Authorizing the Family of Adam Wilson to Sue the Town of Rockport** **ONTP**

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

LD 1945 proposed to authorize Theresa, Kenneth and Adam Wilson, of Warren, to sue the Town of Rockport for damages resulting from an accident on Route 73 in Thomaston, Maine.

Committee Amendment "A" (H-348), which was not adopted, is the minority report of the Joint Standing Committee on Legal and Veterans Affairs, and proposed to do the following:

1. Add a mandate preamble;
2. Reference the standards that must be applied by the court in determining any liability or damages;
3. Increase the amount of recovery authorized from \$500,000 to \$750,000;