

MAINE STATE LEGISLATURE

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**STATE OF MAINE
119TH LEGISLATURE**

SECOND REGULAR SESSION

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

JULY 2000

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ONE HUNDRED NINETEENTH LEGISLATURE
SECOND REGULAR SESSION

Summary Of Legislation Before The Joint Standing Committees
July 2000

We are pleased to provide this summary of 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:

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
NOT PROPERLY BEFORE THE BODY..... Ruled out of order by the presiding officers; bill died
INDEF PP..... Bill Indefinitely Postponed
ONT P..... 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 August 11, 2000.

David E. Boulter, Director
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LD 2141**An Act to Remove the Limit on the Amount of Complimentary Wine that a Wine Retailer may Receive Annually****ONTP**

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

LD 2141 proposed to remove the limit on the amount of wine samples that certain retailers licensed to sell wine may receive from a small brewery, farm winery or wholesaler.

LD 2148**An Act to Improve Harness Racing in the State****ONTP**

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

LD 2148 proposed to authorize the operation of licensed video lottery terminals at facilities licensed to conduct pari-mutuel wagering. Under this proposal, the Harness Racing Commission would have received up to \$250,000 to implement video lottery. This money would have been required to be reimbursed. This bill proposed that no facility could have in excess of 200 licensed machines and that the pay-back from the machine must be at least 80%. The licensee would have had the discretion to place limits on the amount of time and money spent on that licensee's machines. Some funds from the machines would have been distributed as follows:

1. 10% retained for administrative expenses on behalf of the state.
2. 30% deposited to local government.
3. 9% to the Harness Racing Commission to supplement harness racing purses.
4. 2% to agricultural fairs.
5. 1% to the Sire Stakes fund.

The remainder of the money would have been retained by the licensee as profit, lease payments, or for other related expenses.

LD 2153**An Act to Modify the Campaign Finance Laws with Regard to Running for Federal Office****PUBLIC 648**

<u>Sponsor(s)</u>	<u>Committee Report</u>	<u>Amendments Adopted</u>
MCALEVEY	OTP-AM	H-892

LD 2153 proposed to require that a state Legislator who is running for federal office file a report with the Commission on Governmental Ethics and Election Practices. It also proposed to re-state a provision in

current law which permits a candidate for federal office to solicit and receive contributions for that candidate's federal campaign even during the state legislative session.

Committee Amendment "B" (H-892) proposed to strike the requirement in the bill that a Legislator running for federal office file a separate form established by the Commission on Governmental Ethics and Election Practices. It proposed to retain the addition to current law that clarifies that a Legislator running for federal office is not prohibited from soliciting or accepting contributions for that office while the Legislature is in session. The amendment also proposed to add a fiscal note.

Enacted law summary

Public Law 1999, chapter 648 clarifies a provision of current law by stating that a legislator running for federal office is not prohibited from soliciting or accepting contributions for that office while the Legislature is in session.

LD 2162

**RESOLUTION, Proposing an Amendment to the Constitution of
Maine to Allow Persons with Mental Illness to Vote**

CON RES 3

<u>Sponsor(s)</u>	<u>Committee Report</u>	<u>Amendments Adopted</u>
BRENNAN DAGGETT	OTP-AM	H-796 H-850 MARTIN

This Constitutional Resolution proposed, upon approval at referendum, to remove the current restriction that prohibits persons under guardianship for reasons of a mental illness from voting.

Committee Amendment "A" (H-796) proposed to clarify the question asked by the constitutional referendum so that it would not be posed in the negative. The amendment also proposed to add a fiscal note.

House Amendment "A" to Committee Amendment "A" (H-850) proposed to rephrase the referendum question so it would read: "Do you favor amending the Constitution of Maine to end discrimination against persons under guardianship for reasons of mental illness for the purpose of voting?"

Enacted law summary

Constitutional Resolution 1999, chapter 3, upon approval by a majority of voters at referendum, will remove the current restriction that prohibits persons under guardianship for reasons of mental illness from voting. If a majority of the voters do not approve removing this restriction, this provision of the Constitution will stay the same.