

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
- 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 August 11, 2000.

David E. Boulter, Director
 Offices Located in the State House, Rooms 101 & 107

LD 2200

An Act to Permit Persons Out-of-state to Ship Malt Liquor and Wine to Maine Residents

ONTP

<u>Sponsor(s)</u>	<u>Committee Report</u>	<u>Amendments Adopted</u>
LAWRENCE	ONTP MAJ	
WHEELER G	OTP-AM MIN	

LD 2200 proposed to allow a person outside of this State to ship to a household in Maine up to 2.4 gallons of malt liquor and 2.4 gallons of wine per month. This bill proposed to repeal the current law prohibiting the interstate shipment of liquor. Under this proposal, a manufacturer would be required to be licensed in its own state in order to ship liquor to Maine. The manufacturers would have been required to obtain a \$50 shipper's license in order to ship liquor to Maine.

LD 2292

An Act to Direct the State Liquor and Lottery Commission to Pursue Partnerships to Enhance Lottery Revenues

PUBLIC 586

<u>Sponsor(s)</u>	<u>Committee Report</u>	<u>Amendments Adopted</u>
CAREY	OTP-AM MAJ	S-506
LABRECQUE	OTP MIN	

LD 2292 proposed to enable Maine, New Hampshire and Vermont to expand the number of states that may be members of the current Tri-state Lotto Compact.

Committee Amendment "A" (S-506) proposed to alter the title of the original bill. It also proposed to add a section to the bill that directs the State Liquor and Lottery Commission to investigate the State's membership in the "Big Game" Lottery or other similar multi-state lottery compact. The amendment also proposed to add a fiscal note.

Enacted law summary

Public Law 1999, chapter 586 enables Maine, New Hampshire and Vermont to expand the number of states that may be members of the Tri-State Lotto Compact. In order to take effect, such a change to the compact requires approval by the legislatures of New Hampshire and Vermont.

The law also directs the State Liquor and Lottery Commission to examine the possibility and feasibility of the state's membership in the "Big Game" lottery or other similar multi-state lottery compacts.

LD 2293

An Act to Amend the Laws Governing Municipal Elections

PUBLIC 712

<u>Sponsor(s)</u>	<u>Committee Report</u>	<u>Amendments Adopted</u>
ABROMSON	OTP-AM MAJ	H-1104 TUTTLE
	ONTP MIN	S-552

LD 2293 proposed to authorize municipal officers to delegate their responsibility to another decision-making entity in the event of disputed or challenged ballots in a municipal election. The bill also proposed to allow candidates who are contesting an election result to agree to extend the current 30-day period within which an appeal to court may be filed.

Committee Amendment "A" (S-552) proposed to specify that an independent panel that may be used to settle disputed or challenged ballots would be made up of 3 members selected by a majority vote of the municipal officers and that no member of the panel may be a municipal officer.

House Amendment "A" to Committee Amendment "A" (H-1104) proposed to clarify the procedure when an independent panel is utilized to resolve a ballot dispute or challenge and strikes language requiring the court to adopt procedures by rule.

Enacted law summary

Public Law 1999, chapter 712 provides municipalities with the option of delegating their responsibility to decide how to count disputed or challenged ballots in a municipal election. To implement this option the municipality may pass an ordinance or execute an order. The decision on how to count the ballots may be delegated to either the Superior Court or an independent panel. The law also allows candidates who are contesting an election result to agree to extend the 30-day period within which an appeal to court must be filed.

LD 2298

An Act to Clarify the Law Relating to the Renewal of Liquor Licenses

PUBLIC 589

<u>Sponsor(s)</u> DAGGETT		<u>Committee Report</u> OTP-AM		<u>Amendments Adopted</u> S-509
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LD 2298 proposed to clarify the law by stating that the 60-day automatic renewal of a liquor license provided in current law does not apply when an applicant for renewal has an existing license that is extended while the application is being processed.

Committee Amendment "A" (S-509) to clarify proposed language in the original bill stating that the 60-day automatic renewal does not apply to on-premise licenses that are extended pending renewal. It also proposed to require that municipal officers or county commissioners must make a final decision on the renewal within 120 days.

Enacted law summary

Public Law 1999, chapter 589 states that the provision which automatically grants the renewal of an on-premise liquor license if the municipal officers or county commissioners do not act within 60 days, does not apply when the existing license has been extended while the renewal application is being processed. The law also states that the municipal officers or county commissioners must make a final decision on the renewal within 120 days.