

MAINE STATE LEGISLATURE

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*State Of Maine
120th Legislature*

First Regular Session

Bill Summaries

*Joint Standing Committee
on
Legal and Veterans' Affairs*

August 2001

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120th Legislature
First Regular Session

Summary Of Legislation Before The Joint Standing Committees
August 2001

Enclosed please find a summary of all bills, resolves, joint study orders, joint resolutions and Constitutional resolutions that were considered by the joint standing 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 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*
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 First Regular Session (unless otherwise specified in a particular law) is **September 21, 2001**.

David E. Boulter, Director
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Joint Standing Committee on Legal and Veterans' Affairs

LD 1518, a constitutional resolution, proposed to provide that 50% of the required number of signatures of electors for a direct initiative of legislation should be signatures of electors who are qualified to vote in the Second Congressional District. It also proposed to require that the Legislature, after a failure to enact a direct initiative without change and before this initiative could be submitted to the electors, hold 6 public hearings on this initiative. As proposed, three of these hearings would be held in the First Congressional District, and 3 of these hearings would be held in the Second Congressional District.

LD 1526 **An Act to Institute a Citizens' Guide to Elections** **ONTP**

<u>Sponsor(s)</u> NORBERT		<u>Committee Report</u> ONTP		<u>Amendments Adopted</u>
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LD 1526 proposed to require the Secretary of State to produce and distribute a guide for voters prior to every election. As proposed, this guide would contain objective information about referenda and candidates, including, but not limited to, information regarding the policies of the candidates.

LD 1529 **An Act to Improve Elections** **ONTP**

<u>Sponsor(s)</u> SCHNEIDER TURNER		<u>Committee Report</u> ONTP		<u>Amendments Adopted</u>
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LD 1529 proposed to make the following changes to the laws governing elections:

1. A student could not gain residency in the municipality in which that student's school is located, unless that student resided there prior to attending that school.
2. A person who establishes residence by affidavit would be required to show adequate proof of identification to the registrar when that person registers to vote.
3. Each municipal clerk would be required to attend a training session at least once every 2 years in regard to the conduct of elections.

LD 1532 **An Act to Amend the Governmental Ethics Laws Administered by the Commission on Governmental Ethics and Election Practices** **CARRIED OVER**

<u>Sponsor(s)</u>		<u>Committee Report</u>		<u>Amendments Adopted</u>
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LD 1532, which was carried over to the Second Regular Session proposes to amend the governmental ethics laws. The bill proposes to define "anything of value," "associated" and "employer of another." The bill also proposes to

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amend the definition of "gift" by excluding informational material, a publication and a meal, under certain circumstances, from the definition of "gifts." The bill proposes to define "information program," "organization" and "reportable liability." The bill also proposes to amend the standards of conduct expected from a Legislator and clarify what is considered a conflict of interest, how complaints are to be filed and handled, what financial information must be disclosed by a Legislator, what is a reportable liability and for how long income statements must be retained. The bill also proposes to state what constitutes a violation of the ethics laws.

LD 1544 **An Act to Enhance Penalties for Use of Illegal Gambling Machines** **PUBLIC 461**

<u>Sponsor(s)</u>	<u>Committee Report</u>	<u>Amendments Adopted</u>
MILLS	OTP-AM MAJ ONTP MIN	S-228 S-395 GOLDTHWAIT

LD 1544 proposed to establish a harness racing lottery game and Harness Racing Purse Fund to improve harness racing purses. This bill also proposed to define illegal gambling machines and provide that illegal gambling machines and their monetary contents are subject to seizure and forfeiture in both civil and criminal proceedings. As proposed by this bill, seizure may be pursuant to court process or without process if the seizure is incident to a search that is in conformity with constitutional requirements governing searches and seizures.

Committee Amendment "A" (S-228) clarified the definition of "illegal gambling machine" to exclude machines operated by the Bureau of Alcoholic Beverages and Lottery Operations within the Department of Administrative and Financial Services. It also added an allocation section and a fiscal note to the bill.

Senate Amendment "A" to Committee Amendment "A" (S-395) removed the language that proposed to establish the Harness Racing Purse Fund. It struck the language that proposed to require the State Harness Racing Commission to develop and initiate a harness racing lottery game. It struck the language that proposed to allow the Maine State Lottery Commission to appropriate funds to the Harness Racing Purse Fund from the State Lottery Fund and strikes the allocation section.

Enacted law summary

Public Law 2001, chapter 461 defines illegal gambling machines and provides that illegal gambling machines and their monetary contents are subject to seizure and forfeiture in both civil and criminal proceedings. Seizure may be pursuant to court process or without process if the seizure is incident to a search that is in conformity with constitutional requirements governing searches and seizures.

LD 1608 **An Act to End Discrimination Against Veterans** **ONTP**

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