

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

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	

Joint Standing Committee on Legal and Veterans' Affairs

LD 1608 proposed to remove the requirement that members of the Maine State Retirement System joining after January 1, 1976 should have served in a federally recognized period of conflict to be eligible to purchase military service credits. It proposed to expand eligibility for the veterans' property tax exemption and remove from statute eligibility requirements related to federally recognized periods of war. It also proposed to make all honorably discharged veterans who are 62 years of age or older eligible for the veterans' property tax exemption that would have been authorized by this bill. The bill also would have required the Department of Administrative and Financial Services, Bureau of Revenue Services to notify each municipality of this expanded eligibility at least 60 days prior to the beginning of the first property tax year to which this expanded eligibility would have applied.

LD 1615 **An Act to Provide Pricing Options to Agency Liquor Stores** **ONTP**

<u>Sponsor(s)</u> STANLEY		<u>Committee Report</u> ONTP		<u>Amendments Adopted</u>
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LD 1615 proposed to remove the requirement that agency liquor stores must sell liquor based on a price established by the Bureau of Alcoholic Beverages and Lottery Operations within the Department of Administrative and Financial Services.

LD 1619 **Resolve, to Establish a Commission to Study Maine's Election Procedures and Voting Laws** **ONTP**

<u>Sponsor(s)</u> SHIELDS TURNER		<u>Committee Report</u> ONTP		<u>Amendments Adopted</u>
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LD 1619, a resolve, proposed to establish the Commission to Study Maine's Election Procedures and Voting Laws. The commission would have been charged with reviewing the laws governing election procedures and voting in this State, developing recommendations to improve those laws and reporting to the Second Regular Session of the 120th Legislature.

LD 1686 **An Act to Amend the Laws Governing Elections** **ONTP**

<u>Sponsor(s)</u> COLWELL ABROMSON		<u>Committee Report</u> ONTP		<u>Amendments Adopted</u>
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LD 1686 proposed to require the Secretary of State to maintain a central voting list for the State and to update the list at least once a year by requesting the voting list from the registrar of every municipality in the State. This bill would have required a registrar to furnish the voting list for the registrar's municipality to the Secretary of State upon request from the Secretary of State. The bill proposed to require each municipal clerk or the clerk's designee to attend a training session that would be approved by the Secretary of State at least once every 2 years in regard