

MAINE STATE LEGISLATURE

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*State Of Maine
120th Legislature*

Second Regular Session

Bill Summaries

*Joint Standing Committee
on
Legal and Veterans' Affairs*

May 2002

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120th Legislature
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Summary Of Legislation Before The Joint Standing Committees
May 2002

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 arranged alphabetically by committee name 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
PASSED.....	Joint Order passed in both bodies
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 July 25, 2002.

Patrick T. Norton, Interim Director
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Joint Standing Committee on Legal and Veterans' Affairs

LD 2015

An Act to Amend Certain Statutes Regarding Beano and Games of Chance

PUBLIC 538

<u>Sponsor(s)</u>	<u>Committee Report</u>	<u>Amendments Adopted</u>
CHIZMAR	OTP-AM	H-848

LD 2015 proposed to amend the laws regarding beano and games of chance as follows.

1. It would provide for a period of 60 days for the Chief of the State Police to process applications for beano and games of chance licenses.
2. It would allow the Chief of the State Police to require evidence from beano and games of chance licensees regarding conduct of the amusements.
3. It would require organizations desiring to be licensed to conduct games of chance to be in existence for 2 years before applying for a license.
4. It would allow licensed agricultural fair societies to use tokens in the denomination of \$1 for games of chance.

Committee Amendment "A" (H-848) proposed to strike the provisions in the original bill that would have required the Chief of the State Police to process the application for a beano or game of chance license in 60 days. It also proposed to make some technical changes to the bill.

Enacted law summary

Public Law 2001, chapter 538 specifies that non-profit organizations must be in existence for 2 consecutive years in order to be eligible for a license to conduct games of chance. This law provides that the Chief of the State Police may require evidence from a licensee regarding the conduct of beano or games of chance in order to determine compliance with the laws governing those games. Chapter 538 also permits licensed agricultural fair societies to use tokens in the denomination of \$1 for games of chance.

LD 2023

An Act to Amend the Election Laws

PUBLIC 516

<u>Sponsor(s)</u>	<u>Committee Report</u>	<u>Amendments Adopted</u>
TUTTLE DOUGLASS	OTP-AM	H-776 S-422 DOUGLASS

LD 2023 proposed to permit a nonresident United States citizen who was born outside the United States and who has never lived in the United States to register and enroll using the last residence address of either parent immediately before leaving the United States. The bill proposed to clarify that the election officials must open the boxes of ballots on election day to verify the number of ballots received. This bill would set a time certain that the incoming voting list must remain sealed after an election. The bill would clarify the information that must be included in the election returns from the municipalities, as well as the Secretary of

Joint Standing Committee on Legal and Veterans' Affairs

State's tabulation of the vote. The bill also proposed to specify that a candidate must receive at least one vote in the primary or other election in order to win by a plurality of the votes cast. The bill would also make technical changes and provide consistent language to specify who will complete and sign certain election documents. The bill proposed to repeal the section of law that restricts certain people from being able to register or vote. The bill would also repeal the Congressional Term Limits Act of 1996, and the Maine Congressional Term Limitations Act of 1994. The bill also proposed to repeal the section of law that prohibits payment for collection of signatures if that payment is based on the number of signatures collected and clarify what other materials must be sealed with the incoming voting list. The bill would also provide for a poster to advise prospective registrants and voters of their rights. Finally, this bill proposed to provide for the federal absentee ballot to be used by members of the United States Armed Forces and citizens outside the United States in primary and general elections.

Committee Amendment "A" (H-776) proposed to strike the provisions of the original bill that provide for a new process by which United States citizens living outside the United States may register to vote and retain current law and add a fiscal note to the bill.

Senate Amendment "A" to Committee Amendment "A" (S-422) proposed to remove and replace the fiscal note on the committee amendment. The bill as amended would not represent a state mandate under the Constitution of Maine.

Enacted law summary

Public Law 2001, chapter 516 clarifies that election officials must open the boxes of ballots on election day to verify the number of ballots received. This law sets a time certain that the incoming voting list must remain sealed after an election. It clarifies the information that must be included in the election returns from the municipalities, as well as the Secretary of State's tabulation of the vote. Chapter 516 also specifies that a candidate must receive at least one vote in the primary or other election in order to win by a plurality of the votes cast. The law also provides for a poster to advise prospective registrants and voters of their rights. It provides for the federal absentee ballot to be used by members of the United States Armed Forces and citizens outside the United States in primary and general elections. Finally, this law makes several changes to the statutes in order to be consistent with recent court decisions regarding voting rights of persons under guardianship for mental illness, Congressional term limitations and payment for the collection of petition signatures.

LD 2055

**An Act to Make the Use of Tokens or Tickets for Games of Chance
at Agricultural Fairs Optional**

**PUBLIC 672
EMERGENCY**

<u>Sponsor(s)</u>	<u>Committee Report</u>	<u>Amendments Adopted</u>
CHICK WOODCOCK	OTP-AM MAJ ONTP MIN	H-853 S-512 MILLS

LD 2055 proposed to delay by one year the date by which the use of tokens or tickets is required for games of chance at agricultural fairs.

Committee Amendment "A" (H-853) proposed to strike the original bill in its entirety and replaces it by amending current law to make the use of tickets or tokens for games of chance at agricultural fairs optional. This amendment would be retroactive to January 1, 2002.