

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:

<i>CON RES XXX</i>	<i>Chapter # of Constitutional Resolution passed by both Houses</i>
<i>CONF CMTE UNABLE TO AGREE</i>	<i>Committee of Conference unable to agree; bill died</i>
<i>DIED BETWEEN BODIES</i>	<i>House & Senate disagree; bill died</i>
<i>DIED IN CONCURRENCE</i>	<i>One body accepts ONTP report; the other indefinitely postpones the bill</i>
<i>DIED ON ADJOURNMENT</i>	<i>Action incomplete when session ended; bill died</i>
<i>EMERGENCY</i>	<i>Enacted law takes effect sooner than 90 days</i>
<i>FAILED EMERGENCY ENACTMENT/FINAL PASSAGE</i>	<i>Emergency bill failed to get 2/3 vote</i>
<i>FAILED ENACTMENT/FINAL PASSAGE</i>	<i>Bill failed to get majority vote</i>
<i>FAILED MANDATE ENACTMENT</i>	<i>Bill imposing local mandate failed to get 2/3 vote</i>
<i>NOT PROPERLY BEFORE THE BODY</i>	<i>Ruled out of order by the presiding officers; bill died</i>
<i>INDEF PP</i>	<i>Bill Indefinitely Postponed</i>
<i>ONTP</i>	<i>Ought Not To Pass report accepted</i>
<i>OTP ND</i>	<i>Committee report Ought To Pass In New Draft</i>
<i>OTP ND/NT</i>	<i>Committee report Ought To Pass In New Draft/New Title</i>
<i>P&S XXX</i>	<i>Chapter # of enacted Private & Special Law</i>
<i>PASSED</i>	<i>Joint Order passed in both bodies</i>
<i>PUBLIC XXX</i>	<i>Chapter # of enacted Public Law</i>
<i>RESOLVE XXX</i>	<i>Chapter # of finally passed Resolve</i>
<i>UNSIGNED</i>	<i>Bill held by Governor</i>
<i>VETO SUSTAINED</i>	<i>Legislature failed to override Governor's Veto</i>

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

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.

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Senate Amendment "A" to Committee Amendment "A" (S-512) this amendment proposed to make tokens an optional means for controlling revenue in games of chance and would authorize the Chief of the State Police to adjust record-keeping and reporting requirements for licensees who choose to use tokens. The amendment also contains some technical redrafting of existing law and provides definitions for 4 previously undefined terms: "agricultural society," "gross revenue," "net revenue" and "tokens." Public Law 2001, chapter 672 makes the use of tokens an optional method for controlling revenue in games of chance conducted at agricultural fairs. It authorizes the Chief of the State Police to adjust record-keeping and reporting requirements for licensees who choose to use tokens.

Enacted law summary

Public Law 2001, chapter 672 makes the use of tokens an optional method for controlling revenue in games of chance conducted at agricultural fairs. It authorizes the Chief of the State Police to adjust record-keeping and reporting requirements for licensees who choose to use tokens.

Public Law 2001, chapter 672 was enacted as an emergency measure effective April 11, 2002.

LD 2063 **An Act to Require Timely Consideration of Appeals of Decisions of the Registrar of Voters** **ONTP**

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

LD 2063 proposed to require the registration appeals board in a town or city of 5,000 or more residents to convene on election day prior to the closing of the polls to consider any appeals that have arisen from decisions of the registrar of voters. The board would be required to meet in time to allow an aggrieved person to vote if the decision of the registrar is modified or reversed.

LD 2123 **An Act to Implement the Recommendations of the Commission to Develop a Plan to Implement the Closure of State Liquor Stores** **PUBLIC 711**

<u>Sponsor(s)</u>	<u>Committee Report</u>	<u>Amendments Adopted</u>
	OTP-AM A	H-1122 – Committee of Conference
	ONTP B	
	OTP-AM C	

LD 2123 proposed to implement the recommendations of the Commission to Develop a Plan to Implement the Closure of State Liquor Stores. This bill proposed to require the Department of Administrative and Financial Services, Bureau of Alcoholic Beverages and Lottery Operations to continue to operate 19 state liquor stores. It proposed to repeal the 3.5 mile radius requirement when a state liquor store is replaced with an agency store. It would require an agent permitted to resell spirits and fortified wine purchased from the State Liquor Commission to a retail licensee licensed for on premise consumption to obtain a state reselling agent license for an annual fee of \$50. The bill also proposed to specify that all spirits sold by