

MAINE STATE LEGISLATURE

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*State Of Maine
122nd Legislature*

*First Regular Session and
First Special Session*

Bill Summaries

*Joint Standing Committee
on
Legal and Veterans' Affairs*

August 2005

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Maine State Legislature

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122nd Legislature
First Regular Session and First Special Session

Summary of Legislation Considered by the Joint Standing Committees
August 2005

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. A subject index for each committee is included immediately before the bill summaries for that committee, and a numerical index by LD number is included 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 June 29, 2005; and for non-emergency legislation enacted in the First Special Session is September 17, 2005.

Joint Standing Committee on Legal and Veterans' Affairs

LD 77

An Act To Require Valid Identification for Purchases of Liquor

PUBLIC 38

| <u>Sponsor(s)</u> | <u>Committee Report</u> | <u>Amendments Adopted</u> |
|-------------------|-------------------------|---------------------------|
| BARSTOW | OTP-AM A | H-28 |
| MAYO | ONTP B | |
| | OTP C | |

LD 77 proposed to require a person, regardless of that person's age, to present identification at the time of purchase of liquor.

Committee Amendment "A" (H-28) was the majority report and proposed to replace the bill. The amendment proposed to prohibit a licensee or licensee's employee or agent from selling, furnishing, giving or delivering liquor or imitation liquor to a person under 27 years of age unless that person provides a reliable photographic identification showing that person is not a minor.

Enacted law summary

Public Law 2005, chapter 38 prohibits a licensee or licensee's employee or agent from selling, furnishing, giving or delivering liquor or imitation liquor to a person under 27 years of age unless that person provides a reliable photographic identification showing that person is not a minor.

LD 90

An Act Concerning the Confidentiality of Records Held by the Gambling Control Board

**PUBLIC 11
EMERGENCY**

| <u>Sponsor(s)</u> | <u>Committee Report</u> | <u>Amendments Adopted</u> |
|-------------------|-------------------------|---------------------------|
| PERRY J | OTP-AM | S-47 |
| HOTHAM | | |

LD 90 proposed to authorize the members of the Gambling Control Board to receive legislative per diem when they meet. It also proposed to make confidential, certain information and records received by the board or the Department of Public Safety as part of an application for licensure and contracting for a central site monitoring system.

Committee Amendment "A" (S-47) proposed to replace the bill. This amendment would make certain records confidential as an exception to the law that provides for public access to records used in the course of government. Records that would be designated confidential under this amendment would be those that are included in application and licensing materials and contain the following:

1. Trade secrets and proprietary information that if released would be competitively harmful to the submitter of the information;
2. Information that the Gambling Control Board determines is an unwarranted invasion of personal privacy. The board may release a summary of that information if the board determines it is necessary to describe the basis of an action taken by the board;
3. Financial, statistical and surveillance information from the central site monitoring system, except that the board shall use this information to publicly report on money credited to players and distributed to the State;