

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 1562

An Act To Create Optional Public Financing of Legislative Leadership Elections

ONTP

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

LD 1562 proposed allowing Maine Clean Election Act financing for candidates in legislative leadership races. The candidate for a leadership position would already be a Maine Clean Election Act candidate. A candidate for a Senate leadership position would be required to obtain 9 signatures from members of the candidate's party who were nominated to seats in the Senate, and a candidate for a leadership position in the House of Representatives would be required to collect 38 signatures from members of the candidate's party who were nominated to seats in the House of Representatives. A Maine Clean Election Act candidate who wishes to run for a leadership position would be able to collect up to \$1,000 in seed money. As proposed, a Maine Clean Election Act leadership candidate would receive \$5,000 to spend on the leadership campaign and would not be allowed to contribute to a candidate, campaign, political committee or political action committee during the leadership campaign. A Maine Clean Election Act leadership candidate could not be an officer of or have control over a political action committee under this bill.

LD 1573

An Act To Authorize a Tribal Commercial Track and Slot Machines in Washington County

VETOED

<u>Sponsor(s)</u>	<u>Committee Report</u>	<u>Amendments Adopted</u>
MOORE F RAYE	OTP-AM MAJ ONTP MIN	H-563

LD 1573 proposed to define "tribal commercial track." A tribal commercial track would be operated by a federally recognized Indian tribe in this State. The bill proposed authorizing the Department of Public Safety, Gambling Control Board to issue a license to operate up to 3,000 slot machines to a tribal commercial track. The slot machine facility operated at a tribal commercial track would be subject to the regulatory structure currently provided in law. The distribution of income from slot machines would be the same as currently provided in law with the following exceptions.

1. The percentage of income designated for scholarships at Maine's community colleges would go directly to a community college in Washington County.
2. Instead of distribution of off-track betting facilities, the tribal commercial track slot machine facility would distribute that percentage to a development authority and career and technical education center in Washington County.

Committee Amendment "A" (H-563) proposed to strike the provision in the bill that created a tribal commercial track development fund and instead would provide that the tribal commercial track would receive a percentage of slot machine income from the Fund to Stabilize Off-track Betting Facilities. The amendment proposed to remove the provision that stated that a percentage of income from slot machines operated at a tribal commercial track would not be required to be paid to the Fund to Stabilize Off-track Betting Facilities. The amendment also would

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provide that if an off-track betting facility is licensed within the market area of a tribal commercial track with slot machines it would be eligible for money from the Fund to Stabilize Off-track Betting Facilities. This amendment would also require that a tribal commercial track receive municipal approval to operate slot machines before it would be eligible to receive a license to operate slot machines from the Gambling Control Board. The amendment also proposed to add an appropriations and allocations section to the bill.

House Amendment "A" to Committee Amendment "A" (H-609) proposed that the bill to be submitted to the legal voters of the State at the next statewide election in the month of November following passage of this Act. The amendment would also correct a cross-reference to reflect a change made by Public Law 2005, chapter 109.

Senate Amendment "A" to Committee Amendment "A" (S-321) proposed that the bill to be submitted to the legal voters of Washington County at the next statewide election in the month of November following passage of this Act. The amendment would also correct a cross-reference to reflect a change made by Public Law 2005, chapter 109 and would change the appropriations and allocations section.

LD 1596 An Act Limiting Clean Election Candidates' Campaign Soliciting CARRIED OVER

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

LD 1596 proposed to provide for the creation of caucus campaign committees established to support the election of candidates and determine legislative leadership of the 2 major parties in the House of Representatives and the Senate. This bill would prohibit a Maine Clean Election Act candidate from participating in political action committees, except that a Maine Clean Election Act candidate would be able to solicit contributions for a caucus campaign committee.

This bill was carried over by H.P. 1203 to the next special or regular session of the 122nd Legislature.

LD 1597 An Act To Compensate the Gambling Control Board INDEF PP

<u>Sponsor(s)</u>	<u>Committee Report</u>	<u>Amendments Adopted</u>
GAGNON PATRICK	OTP-AM	S-253

LD 1597 proposed to authorize the members of the Gambling Control Board to receive the legislative per diem when they meet.

Committee Amendment "A" (S-253) added an appropriations and allocations section to the bill. The provision proposed by LD 1597 was enacted as part of the part II budget Public Law 2005 c. 386.