

MAINE STATE LEGISLATURE

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*State Of Maine
122nd Legislature*

Second Regular Session

Bill Summaries

*Joint Standing Committee
on
Legal and Veterans' Affairs*

July 2006

Members:

*Sen. Kenneth T. Gagnon, Chair
Sen. Elizabeth H. Mitchell
Sen. Debra D. Plowman*

*Rep. John L. Patrick, Chair
Rep. John L. Tuttle, Jr.
Rep. Charles D. Fisher
Rep. Linda M. Valentino
Rep. Randy E. Hotham
Rep. Richard B. Brown
Rep. Gary W. Moore*

*Rep. David N. Ott
Rep. Wright H. Pinkham, Sr.
Rep. Joan M. Nass
Rep. Frederick J. Moore, III*

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Maine State Legislature



Office of Policy and Legal Analysis Office of Fiscal and Program Review

122nd Maine Legislature Second Regular Session

Summary of Legislation Before The Joint Standing Committees

Enclosed please find a summary of all bills, resolves, joint study orders, joint resolutions and Constitutional resolutions that were considered by the joint standing 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/billsumm.htm).

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
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 (Pocket Veto).....	Bill held by Governor
VETO SUSTAINED.....	Legislature failed to override Governor's Veto

Please note that the effective date for all non-emergency legislation enacted in the Second Regular Session (unless otherwise specified in a particular law) is August 23, 2006.

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Committee Amendment “A” (S-518) proposed to replace the bill and was the minority report of the committee. It would have created a new license that allows a restaurant to have a license to sell wine for off-premises and on-premises consumption. The fee for this license would have been \$420. Premises eligible for this license would have been required to carry at least 125 labels of wine for retail sale and generate at least 50% of their annual gross income from the sale of wine for off-premises consumption and would have been limited to 2,500 square feet. The holder of this license would have been prohibited from having a financial interest in any other establishment licensed to sell alcoholic beverages for either off-premises or on-premises consumption. This amendment also proposed to require that people employed by the licensed premises to sell wine for either off-premises or on-premises consumption complete a seller-server education course.

LD 1700

An Act To Protect Military Families

INDEF PP

<u>Sponsor(s)</u> FISCHER		<u>Committee Report</u> OTP-AM		<u>Amendments Adopted</u> H-775
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LD 1700 proposed to provide a \$250,000 life insurance policy free to members of the Maine Army National Guard who go into combat zones.

Committee Amendment “A” (H-775) proposed to replace the bill. It would have required that the Commissioner of Defense, Veterans and Emergency Management reimburse members of the National Guard and Reserves assigned to a unit in Maine for the cost of monthly premiums paid to the Federal Government for supplemental life insurance. A member of the National Guard or Reserves assigned to a unit in Maine who serves in the theater of operations for Operation Enduring Freedom or Operation Iraqi Freedom during any month in the calendar year 2006 would have been eligible for reimbursement for each month deployed in that year regardless of the number of days served in that month.

Although LD 1700 was not enacted, the same provision proposed by Committee Amendment A was incorporated into the supplemental budget and enacted as Part W of Public Law 2006, chapter 519.

LD 1727

An Act To Extend the Lobbyist Reporting Requirements to Executive Branch Lobbying Activities

DIED BETWEEN BODIES

<u>Sponsor(s)</u> CANAVAN EDMONDS		<u>Committee Report</u> ONTP MAJ OTP-AM MIN		<u>Amendments Adopted</u>
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LD 1727 proposed to amend the definition of “lobbying” under the lobbyist disclosure laws to ensure that all the reporting and disclosure requirements currently in place for lobbyists apply to individuals who lobby any official in the executive branch of State Government in addition to officials in the legislative branch and the Governor.

The bill also proposed to include communications regarding agency rules or proposed rules.

Committee Amendment “A” (H-923) proposed to replace the bill and was the minority report. It would have amended the definition of “lobbying” to include communication with state agency commissioners, commissioners'

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designees and constitutional officers for the purpose of influencing any legislative action when reimbursement for expenditures or compensation is made for that communication.

This amendment provided that “lobbying” would not include time spent by any person providing information to or participating in a subcommittee, stakeholder group, task force or other work group regarding a legislative action by the appointment or at the request of the Governor, a Legislator or legislative committee, a constitutional officer, a state agency commissioner or the chair of a state board or commission as long as the person's regular employment does not otherwise include lobbying.

LD 1748

An Act To Make Technical Changes to the Gambling Laws

PUBLIC 663

<u>Sponsor(s)</u> GAGNON		<u>Committee Report</u> OTP-AM		<u>Amendments Adopted</u> S-488
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LD 1748 proposed to make the following changes to the laws concerning gambling.

1. It would authorize members of the Department of Public Safety, Gambling Control Board to receive a per diem compensation of \$35.
2. It would amend the definition of “gross slot machine income,” establishes a definition of “net slot machine income” and amends the terms consistently to be consistent throughout the law.
3. It would establish a fixed fee for reregistration of slot machines and provides that changes to the section of law governing registration fees and terms are routine technical rules as long as the fees established under that section do not exceed \$10,000.
4. It would establish the annual renewal fee of \$75,000 for a slot machine distributor license, and clarifies that certain application fees are annual fees.
5. It would specify that \$25,000 of the annual renewal fee for a slot machine operator must be deposited in a fund to be transferred to the municipality in which the slot machine is located.
6. It would provide that, notwithstanding the law governing abandoned property, a slot machine operator may not redeem credits earned on slot machines more than 365 days after issuance.
7. It would expand the definition of the crime of “unlawful gambling” to include gambling at slot machines by persons under 21 years of age, and requires that all income associated with a violation of unlawful gambling be forfeited to the State.
8. It would direct trained personnel of the Gambling Control Board to take fingerprints of persons seeking licensure under the Maine Revised Statutes, Title 8, chapter 31, and directs that such fingerprints be transmitted to the Department of Public Safety, State Bureau of Identification.

Committee Amendment “A” (S-488) proposed to clarify the definition of net slot machine income. It provided that the initial registration fee for employees of slot machine operators, slot machine distributors and gambling services vendors would be \$250 while the annual renewal fee would be \$25. It would clarify that a rule pertaining to fees for slot machines, slot machine distributors, slot machine operators, gambling services vendors