

MAINE STATE LEGISLATURE

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**STATE OF MAINE
118TH LEGISLATURE**

**FIRST REGULAR SESSION
AND
FIRST SPECIAL SESSION**

**BILL SUMMARIES
JOINT STANDING COMMITTEE
ON
LEGAL AND VETERANS' AFFAIRS**

JULY 1997

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Sen. Richard J. Carey
Sen. Norman K. Ferguson, Jr.*

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Maine State Legislature

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**ONE HUNDRED EIGHTEENTH LEGISLATURE
FIRST REGULAR AND FIRST SPECIAL SESSIONS**

**Summary Of Legislation Before The Joint Standing Committees
August 1997**

We are pleased to provide this summary of bills that were considered by the 15 Joint Standing Committees of the Maine Legislature staffed by this office. The document is a compilation of bill summaries which describe each bill, committee amendments and other relevant amendments, as well as the final action taken on the bill. 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 handled by the joint standing committees. It is organized alphabetically 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. 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:

- 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*
- 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 26, 1997 and September 19, 1997 for the First Special Session.

David E. Boulter, Director

Offices Located in the State House, Rooms 101/107/135

3. Provides that licenses to operate race tracks and simulcasting facilities and the assignment of race dates are for two-year periods, so that those licenses will be coextensive with the two-year term for the certification of bargaining agents to represent licensed harness horse owners, trainers and drivers;
4. Amends the provisions relating to the trust accounts to allow for tracks to borrow from those accounts; and
5. Amends the provisions relating to the election of bargaining agents to provide for separate biannual elections with respect to each of three separate racing segments within the harness racing industry.

LD 1773 Resolve, Directing the Maine State Housing Authority to ONTP
Recommend Certain Safety Standards

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

LD 1773 proposed to require the Maine State Housing Authority to recommend standards for security systems in housing projects for elderly persons and window safety to protect against persons falling from upper floors.

LD 1781 An Act to Create the Maine Scholarship Lottery Game ONTP

<u>Sponsor(s)</u>	<u>Committee Report</u>	<u>Amendments Adopted</u>
DAVIDSON	ONTP MAJ OTP-AM MIN	

LD 1781 proposed to create a scholarship lottery game developed by the State Liquor and Lottery Commission. Proceeds from the game would have been used to provide funding for Maine Student Incentive Scholarship Program, administered by the Finance Authority of Maine, to provide grants for post-secondary education to students demonstrating financial need.

LD 1799 An Act to Privatize Liquor Sales CARRIED OVER

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

LD 1799 proposes to remove the State from the liquor business, including both retail and wholesale sales. The current system for the sale of liquor would be replaced by a system currently used for the sale and distribution of beer and wine. A flat tax of \$3.50 per gallon would be assessed on all spirits, in addition to premium and sales

taxes. The intent of this level of taxation on liquor products is to allow enough pricing flexibility under the new system to recapture sales lost to New Hampshire.

The State would close all liquor-related operations as of January 1, 1998. All existing restrictions on agency store locations would be repealed. Any retailer may apply for a license. The initial license fee for the first year will be \$1,200 and \$1,000 annually for renewals for those retailers with annual sales in the prior year greater than or equal to \$400,000, \$600 and \$500, respectively, for retailers with annual sales less than \$400,000. Existing agency stores will be granted a one-year exemption from the renewal fee. Wholesalers that have had a presence in Maine for five years will have be able to apply for a wholesale liquor license for \$1,400 annually for a principal location and \$600 for each additional warehouse or distribution center. This bill has been carried over to the Second Regular Session.

LD 1818 An Act to Strengthen Existing Lobbying Laws ONTP

<u>Sponsor(s)</u> ETNIER		<u>Committee Report</u> ONTP		<u>Amendments Adopted</u>
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LD 1818 proposed to change the definitions of “lobbyist” and “employer;” require lobbyist associates and their activities to be included in certain reports filed by lobbyists; shorten the time period within which lobbyists and lobbyist associates must register with the Commission on Governmental Ethics and Election Practices; require lobbyists and lobbyist associates to wear name tags, to identify their employer when testifying before a joint standing committee of the Legislature and to fully disclose to each prospective employer any interest represented by the lobbyist or lobbyist associate that is adverse to the interests of the prospective employer. It also would have prohibited lobbyists, lobbyist associates and their employers from giving any official of the Legislature any pecuniary benefit and provided a definition of that term.

**LD 1827 An Act to Authorize the Operation of Video Gaming Terminals by CARRIED OVER
Certain Nonprofit Organizations**

<u>Sponsor(s)</u> DAGGETT DUNLAP		<u>Committee Report</u>		<u>Amendments Adopted</u>
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LD 1827 proposes to authorize the operation of video gaming terminals at nonprofit organizations for members. The State’s share of the net terminal income would be 20%, with the remaining portion split evenly between the organizations and the owners of the machines. This bill has been carried over to the Second Regular Session.

**LD 1828 An Act to Preserve Financial Integrity of the Bureau of Alcoholic CARRIED OVER
Beverages and Lottery Operations**

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