

# MAINE STATE LEGISLATURE

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**STATE OF MAINE  
115TH LEGISLATURE**

**FIRST REGULAR SESSION  
AND  
FIRST SPECIAL SESSION**

**BILL SUMMARIES  
JOINT STANDING COMMITTEE  
ON  
LEGAL AFFAIRS**

**AUGUST 1991**

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**ONE HUNDRED AND FIFTEENTH LEGISLATURE  
FIRST REGULAR SESSION  
AND  
FIRST SPECIAL SESSION  
JOINT STANDING COMMITTEE  
BILL SUMMARIES  
AUGUST 1991**

This document is a compilation of the bill summaries prepared by this office for the Joint Standing Committees and Joint Select Committees of the Maine Legislature. The volume is organized alphabetically by committee; within each committee, the summaries are arranged by LD number. A subject index is provided at the beginning of each committee's summaries.

All adopted amendments are listed, by paper number (e.g., H - 584 or S - 222), together with the sponsor for floor amendments. Final action on each bill is listed to the right of the title. Various types of final action are abbreviated as follows:

<b>PUBLIC XXX</b>	<i>Chapter # of enacted Public Law</i>
<b>P&amp;S XXX</b>	<i>Chapter # of enacted Private &amp; Special Law</i>
<b>RESOLVE XXX</b>	<i>Chapter # of enacted Resolve</i>
<b>CON RES XXX</b>	<i>Chapter # of Constitutional Resolution passed by both Houses</i>
<b>EMERGENCY</b>	<i>Enacted law takes effect sooner than 90 days</i>
<b>CARRIED OVER</b>	<i>Bill carried over to 2nd Session</i>
<b>FAILED EMERGENCY ENACTMENT</b>	<i>Bill failed to get 2/3 vote</i>
<b>ONTP</b>	<i>Ought Not to Pass report accepted</i>
<b>LVWD</b>	<i>Leave to Withdraw report accepted</i>
<b>INDEF PP</b>	<i>Bill Indefinitely Postponed</i>
<b>DIED BETWEEN BODIES</b>	<i>House &amp; Senate disagree; bill died</i>
<b>VETO SUSTAINED</b>	<i>Legislature failed to override Governor's Veto</i>
<b>UNSIGNED</b>	<i>Not signed by Governor within 10 days</i>
<b>DIED ON ADJOURNMENT</b>	<i>Action incomplete when 1st session ended</i>

These summaries were prepared by the analyst or analysts assigned to the committee. But, this document was produced by the efforts of all the office staff, including secretaries: Charlene Raymond and Valarie Parlin, and especially Laurette Knox who coordinated preparation of the overall document.

If you have any suggestions or comments on these summaries, please let us know.

Committee Amendment "A" (H-277), part of the minority committee report, would have clarified the bill and added a fiscal note.

**LD 1130 An Act to Provide Affordable Housing in the State**

**ONTP**

**SPONSOR(S)**  
MATTHEWS

**COMMITTEE REPORT**  
ONTP

**AMENDMENTS ADOPTED**

**SUMMARY**

This bill would have made the laws limiting municipal regulation of mobile home parks applicable only to mobile home parks that prove that they provide affordable housing. Other mobile home parks would have been treated as any other subdivision. The bill would also have permitted municipalities to require mobile home park road rights-of-way up to 50 feet wide instead of 23 feet as under current law.

**LD 1135 An Act Allowing the Operation of Video Lottery Terminals**

**CARRIED OVER**

**SPONSOR(S)**  
CONLEY  
DAGGETT  
STEVENS A  
GWADOSKY

**COMMITTEE REPORT**  
ONTP MAJ  
OTP-AM MIN

**AMENDMENTS ADOPTED**  
S-351

**SUMMARY**

This bill would authorize the operation of electronic video credit machines that play games such as poker, keno and blackjack and award credits redeemable for cash. The bill also provides for licensing and regulation of the machines by the State Police, limits to 3 the number of machines at any one location, limits the maximum payoff from a machine to \$1,000, requires machines to pay out in credits at least 80% of the total amount played, and requires the machines to be linked by telephone line to a central computer of the State Police for reporting revenue, other data and malfunctions.

The State General Fund would receive a share of the net income from the machines after payout of prizes, beginning at 25% and increasing to 33.3%. One fourth of the state money would be deposited in the Local Government Fund, to increase the funds available for municipal revenue sharing.

The bill establishes a procedure for licensing manufacturers, wholesalers, distributors and operators of the machines by the State Police and required applicants for licenses to be subject to background investigations.

Committee Amendment "A" (S-351) would change the name of the machines from "electronic video credit machines" to "video lottery terminals" and make several changes in the bill, including the following:

1. Increase the State's share of net terminal income from 25% to 33.34%;
2. Provide for sharing of enforcement and implementation of the video lottery law by the Chief of the State Police and the State Lottery Commission and Director;
3. Require all terminals to be linked to an on-line central computer system providing continuous information to the State, to be developed and monitored by the State Lottery Director, except that terminals could be linked to a dial-up system for the first 6 months terminals are in operation;
4. Specifies that only licensed distributors may own video lottery terminals operated for public use in the State;

5. Specifies what type of information must be provided and considered in the license application process and requires applicants to give the Chief of the State Police consent to review accounts and records, including confidential information, to assure compliance with the law;
6. Requires terminals to be placed in an area physically separated from other areas of the premises and requires the area to be clearly labelled as an area not open to persons under 21 years of age and to be under observation of the licensee or the licensee's agent at all times;
7. Clarifies that the payback value of at least 80% must be achieved for each type of game offered by each terminal;
8. Establishes an account for the deposit of the State's share of funds under the law and provides criminal penalties for failure to deposit funds due the State;
9. Makes distributing or operating an unlicensed terminal and manufacturing, distributing or operating terminals without a license a Class C crime, and makes violation of any other provision of the law for which no other penalty is specified a Class D crime.
10. Requires a person to obtain a special entertainment permit from the municipality in which the machines will be located; and
11. Permits the Chief of the State Police to have a terminal taken off the computer system and disabled if there are certain violations of Title 17, chapter 16 or if the chief suspects that the terminal has been tampered with.

LD 1135 was included in the budget bill, LD 1967, but was deleted by House Amendment D (H-743).

LD 1135 was recommitted to the Appropriations Committee and carried over to the Second Regular Session.

**LD 1143      An Act to Disseminate More Rapidly Information Concerning  
Missing Children**

**PUBLIC 201**

**SPONSOR(S)**  
FARNUM  
BOWERS  
PENDEXTER  
MATTHEWS

**COMMITTEE REPORT**  
OTP

**AMENDMENTS ADOPTED**

**SUMMARY**

This bill changes the definition of missing child to mean any person under the age of 18 years whose whereabouts are unknown to the child's legal custodian. The bill also deletes the provision giving a law enforcement agency up to 48 hours after receiving a missing child report before making an entry into the National Crime Information Center and the Maine Wanted and Missing computer systems. Under this bill, when a preliminary investigation by a law enforcement agency indicates that a child is missing, that information would be entered immediately so that all law enforcement agencies have access to the data. The bill also requires the agency to update entries within 60 days with any additional information, including, where available, medical and dental records. With these changes, Maine's statute will mirror the National Child Search Assistance Act of 1990.