

MAINE STATE LEGISLATURE

The following document is provided by the
LAW AND LEGISLATIVE DIGITAL LIBRARY
at the Maine State Law and Legislative Reference Library
<http://legislature.maine.gov/lawlib>



Reproduced from scanned originals with text recognition applied
(searchable text may contain some errors and/or omissions)

STATE OF MAINE
116TH LEGISLATURE

SECOND REGULAR SESSION

BILL SUMMARIES
JOINT STANDING COMMITTEE
ON
JUDICIARY

MAY 1994

Staff:

*Margaret J. Reinsch, Legislative Analyst
Julie S. Jones, Principal Analyst*

*Office of Policy and Legal Analysis
Room 101, State House Station 13
Augusta, ME 04333
(207)287-1670*

MEMBERS:

**Sen. Gerard P. Conley, Jr.
Sen. Georgette B. Berube
Sen. Dana C. Hanley*

**Rep. Constance D. Cote
Rep. Susan Farnsworth
Rep. Mary R. Cathcart
Rep. Andrew Ketterer
Rep. Edward L. Caron, Jr.
Rep. Sean F. Faircloth
Rep. Jane W. Saxl
Rep. David N. Ott
Rep. Sumner H. Lipman
Rep. Debra D. Plowman*

**Denotes Chair*

MARTHA E. FREEMAN, DIRECTOR
WILLIAM T. GLIDDEN, JR., PRINCIPAL ANALYST
JULIE S. JONES, PRINCIPAL ANALYST
DAVID C. ELLIOTT, PRINCIPAL ANALYST
MARION HYLAN BARR
JON CLARK
LISA COPENHAVER
DEBORAH C. FRIEDMAN
MICHAEL D. HIGGINS
JILL IPPOLITI



JOHN B. KNOX
ROY W. LENARDSON
PATRICK NORTON
JANE ORBETON
MARGARET J. REINSCH
PAUL J. SAUCIER
JOHN G. KELLEY, RESEARCHER
DARLENE A. SHORES LYNCH, RESEARCHER
CARRIE C. McFADDEN, RESEARCHER

STATE OF MAINE
OFFICE OF POLICY AND LEGAL ANALYSIS
ROOM 101/107/135
STATE HOUSE STATION 13
AUGUSTA, MAINE 04333
TEL: (207) 287-1670
FAX (207) 287-1275

**ONE HUNDRED AND SIXTEENTH LEGISLATURE
SECOND REGULAR SESSION**

**JOINT STANDING COMMITTEE
BILL SUMMARIES**

MAY 1994

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.

The committee report or reports, the prime sponsor for each bill and the lead co-sponsor in each house if one has been designated are listed below each bill title. All adopted amendments are listed, by paper number, 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:

PUBLIC XXX

P&S XXX

RESOLVE XXX

CON RES XXX

EMERGENCY

ONTP

INDEF PP

FAILED ENACTMENT

FAILED EMERGENCY ENACTMENT

FAILED MANDATE ENACTMENT

DIED BETWEEN BODIES

CONF CMTE UNABLE TO AGREE

VETO SUSTAINED

UNSIGNED

DIED ON ADJOURNMENT

Chapter # of enacted Public Law

Chapter # of enacted Private & Special Law

Chapter # of enacted Resolve

Chapter # of Constitutional Resolution passed by both Houses

Enacted law takes effect sooner than 90 days

Ought Not to Pass report accepted

Bill Indefinitely Postponed

Bill failed to get majority vote

Emergency bill failed to get 2/3 vote

Bill imposing local mandate failed to get 2/3 vote

House & Senate disagree; bill died

Committee of Conference unable to agree; bill died

Legislature failed to override Governor's Veto

Not signed by Governor within 10 days

Action incomplete when session ended; bill died

These summaries were prepared by the analyst or analysts assigned to the committee. If you have any suggestions or comments on the summaries, please let us know.

5581LHS

LD 1998

An Act Authorizing a Tribally Owned Casino in the City of Calais

ONTP

SPONSOR(S)

COMMITTEE REPORT

AMENDMENTS ADOPTED

SUMMARY

This bill is the plurality recommendation of the Judiciary Committee pursuant to Joint Order.

The bill would have allowed gaming by the Passamaquoddy Tribe in the City of Calais and establishes a structure for the licensing of gaming by either the Passamaquoddy Tribe or the Penobscot Nation. The location of any gaming facility would need to be approved by the Legislature.

Before it may conduct gaming under this bill, a tribe would be required to obtain licenses for a proposed gaming operation, including approval of its financing, management and professional qualifications and the character and integrity of each of its key employees. Broad rule-making power over licensing and the gaming itself is given to the State Police to protect the integrity of the permitted gaming.

A casino excise tax would be enacted to fund law enforcement and regulatory costs and provide revenues for regional development and infrastructure improvements. Off-track betting and alcoholic beverage laws would be amended to allow off-track betting and retail liquor sales at licensed Indian gaming premises. The bill provides for a contribution by a licensed gaming operation for the purpose of funding services related to compulsive gambling and addictive disorders.

Before a license may be issued, the Governor would be required to make a finding that projects undertaken in connection with the license will have a significant, favorable and sustainable economic impact on the region in which it is located. A special account to fund regulatory, law enforcement and tax administration costs would be established, made up of fees from licenses, the casino excise tax and initial regulatory assessments;

The bill would exempt licensed Indian gaming facilities from the Sunday closing laws; make clear that gaming licensed under this bill is not unlawful gambling under the Maine Criminal Code; make any tribe licensed to operate a gaming facility and its gaming operation, however organized, one entity for purposes of campaign finance laws; authorize the licensing of Indian gaming premises for retail liquor sales and exempt any licensed games from the requirement of a separate amusement permit;

The bill would approve taking land in the City of Calais into Passamaquoddy Indian Territory, provided that the Calais City Council has also approved the acquisition;

The bill would provide for tribal ratification of the provision of the bill relating to the incorporation of land into Passamaquoddy Indian Territory as required by the terms of the Maine Indian Claims Settlement Act of 1980, 25 United States Code, Section 1725(e)(1).

The bill would create the Rising Tide Regional Development Program to provide funds to enhance the economic growth of the City of Calais and Washington County. The program would be operated by a local board and administered through the Finance Authority of Maine.

This bill is the result of the Committee's work on LD 1266, carried over from the First Regular Session. See also LDs 1266, 1999, 2000 and 2010.

LD 1999

An Act Authorizing a Tribally Owned Casino in the City of Calais

ONTP

SPONSOR(S)

COMMITTEE REPORT

AMENDMENTS ADOPTED