

MAINE STATE LEGISLATURE

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**STATE OF MAINE
117TH LEGISLATURE**

SECOND REGULAR SESSION

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

JUNE 1996

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Sen. Albert G. Stevens, Jr.

Sen. Michael H. Michaud

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**ONE HUNDRED SEVENTEENTH LEGISLATURE
SECOND REGULAR SESSION**

***Summary Of Legislation Before The Joint Standing Committees
June 1996***

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.

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:

<i>CARRIED OVER</i>	<i>Bill carried over to Second Session</i>
<i>CON RES XXX</i>	<i>Chapter # of Constitutional Resolution passed by both Houses</i>
<i>CONF CMTE UNABLE TO AGREE</i>	<i>Committee of Conference unable to agree; bill died</i>
<i>DIED BETWEEN BODIES</i>	<i>House & Senate disagree; bill died</i>
<i>DIED ON ADJOURNMENT</i>	<i>Action incomplete when session ended; bill died</i>
<i>EMERGENCY</i>	<i>Enacted law takes effect sooner than 90 days</i>
<i>FAILED EMERGENCY ENACTMENT</i>	<i>Emergency bill failed to get 2/3 vote</i>
<i>FAILED ENACTMENT</i>	<i>Bill failed to get majority vote</i>
<i>FAILED MANDATE ENACTMENT</i>	<i>Bill imposing local mandate failed to get 2/3 vote</i>
<i>INDEF PP</i>	<i>Bill Indefinitely Postponed</i>
<i>ONTP</i>	<i>Ought Not To Pass report accepted</i>
<i>P&S XXX</i>	<i>Chapter # of enacted Private & Special Law</i>
<i>PUBLIC XXX</i>	<i>Chapter # of enacted Public Law</i>
<i>RESOLVE XXX</i>	<i>Chapter # of finally passed Resolve</i>
<i>UNSIGNED</i>	<i>Not signed by Governor within 10 days</i>
<i>VETO SUSTAINED</i>	<i>Legislature failed to override Governor's Veto</i>

Please note the effective date for all non-emergency legislation enacted in the Second Regular Session (unless otherwise specified in a particular law) is July 4, 1996.

Joint Standing Committee on Legal and Veterans Affairs

LD 400

An Act to Clarify the Laws Relating to Gaming and Harness Racing

PUBLIC 677

<u>Sponsor(s)</u>	<u>Committee Report</u>	<u>Amendments Adopted</u>
DIPIETRO	ONTP MAJ OTP-AM MIN	H-922 S-569

L.D. 400, originally titled “An Act to Authorize Video Gambling”, was carried over from the First Regular Session. It proposed to authorize the operation of video lottery terminals in clubs, hotels, nonprofit establishments and lounges licensed to sell liquor for on-premise consumption. The bill proposed an extensive regulatory system to monitor and oversee video gambling operations.

(The bill, as originally drafted, was not adopted. For other bills concerning gambling see L.D.s 1218, 1303 and 1891.)

Committee Amendment "A" (H-874), which was the Minority Report of the Joint Standing Committee on Legal and Veterans Affairs, proposed technical corrections to the bill. The amendment also proposed allocation sections and a fiscal note.

(Not adopted)

Senate Amendment "A" (S-569) This amendment proposed to replace the bill and to change the title to that given in the header of this summary. This amendment proposed to make a technical correction in the off-track betting laws concerning reduced payments for certain off-track betting facilities. This amendment also proposed to repeal the July 2, 1997 sunset of the reduced payment provision (Title 8, section 275-O).

Current law requires that an organization must be in existence for at least 2 years prior to applying for a beano license. Chartered posts of nationally established veterans' organizations are exempt from the 2-year requirement. This amendment proposed to expand the exemption from the 2-year requirement to all organizations in this State having a charter from a national organization.

House Amendment "A" To Senate Amendment "A" (H-922) proposed to strike the emergency preamble and the emergency clause from Senate Amendment "A" (S-569).

Senate Amendment "A" To SENATE AMENDMENT "A" (S-592) and SENATE AMENDMENT "B" (S-591) both proposed new provisions concerning enforcement of the gambling laws. Specifically, the amendments proposed to define “illegal gambling machine” and to provide that illegal gambling machines and their monetary contents are subject to seizure and forfeiture in both civil and criminal proceedings.

(Not adopted)

Enacted law summary

Public Law 1995, chapter 677 makes a technical correction in the off-tracking betting laws concerning reduced payments for a certain off-track betting facility. It also repeals the sunset of the section of law providing for the reduced payments. It also allows any organization chartered

by a national organization to obtain a beano license, relieving these organizations of the current requirement that they be in existence in this state for 2 years before obtaining a license.

LD 848 An Act to Further the Privatization of Liquor Stores within ONTP
the State

<u>Sponsor(s)</u>	<u>Committee Report</u>	<u>Amendments Adopted</u>
STEVENS A	ONTP	

LD 848 was carried over from the First Regular Session. It proposed to change the agency liquor store licensing process by eliminating certain selection guidelines, including the location requirements for agency liquor stores, and the license-bidding process. The bill proposed to allow the Bureau of Liquor Enforcement to issue an agency store license to any applicant who satisfies basic requirements and rules set by the bureau and who pays the annual \$2,000 license fee or \$300 license renewal fee. (See also L.D. 1706.)

LD 1076 An Act to Clarify the Laws Regarding the Ejection of DIED BETWEEN BODIES
a Person from a Boardinghouse

<u>Sponsor(s)</u>	<u>Committee Report</u>	<u>Amendments Adopted</u>
JONES K	OTP MAJ	
	ONTP MIN	

LD 1076, carried over from the First Regular Session, proposed to provide that the law relating to ejection of disruptive or destructive persons from inns, hotels, lodging houses and boardinghouses applies, regardless of length of stay, if the guest is receiving services typically supplied to transient guests and possession and control of the room remain with the management of the facility.

LD 1218 An Act to Amend the Laws Relating to Harness Racing ONTP

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

LD 1218, carried over from the First Regular Session, proposed to authorize the operation of video lottery terminals at commercial harness racing tracks, fairs and off-track betting facilities (“OTBs”). The bill proposed to allow Scarborough Downs to operate up to 600 terminals and Bangor Historic Raceway, each fair and each OTB to operate up to 200 terminals under limited regulatory oversight by the Harness Racing Commission. (See also L.D.s 400, 1303 and 1891, concerning gambling.)

Committee Amendment "A" (H-891), which was the Majority Report of the Joint Standing Committee on Legal and Veterans Affairs, proposed to strike and replace the bill. The amendment proposed:

1. To permit video lottery machines, including tournament video gambling, to be operated after December 1, 1996 under extensive regulation by the State Police and the Bureau of Alcoholic