

# 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*

*Rep. Harry G. True, Chair*

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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 &amp; 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&amp;S XXX</i> .....	<i>Chapter # of enacted Private &amp; 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.

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 the State**      ONTP

<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 a Person from a Boardinghouse**      DIED BETWEEN BODIES

<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

Beverages and Lottery Operations. The amendment proposed to allow the following entities, if they met licensing requirements, to operate the following numbers of video lottery machines: a commercial horse racing track, up to 150 machines; an off-track betting facility, up to 50 machines; an agricultural fair licensed to accept pari-mutuel wagers, up to 5 machines; an incorporated civic organization, up to 5 machines; the Passamaquoddy Tribe, up to 50 machines on Passamaquoddy Indian territory; and the Penobscot Nation, up to 50 machines on Penobscot Indian territory;

2. To distribute proceeds of the net machine income as follows: twenty-two percent to the distributor of the machine; twenty-three percent to the operators of the machine; fourteen percent to various agricultural and harness racing interests; one percent to the Local Government Fund; an amount sufficient to cover the costs of enforcing and administering the law to the State Police and the Bureau of Alcoholic Beverages and Lottery Operations; and the remainder to the General Fund;

3. To define "illegal gambling machine", to establish stiff penalties for manufacturing, selling, transporting, placing or possessing an illegal gambling machine and to provide a process under which the state could seize and cause the forfeiture of an illegal gambling machine; and

4. To add an allocation section and a fiscal note.

(Not adopted)

**House Amendment "A" To Committee Amendment "A" (H-907)** proposed to make the following changes to the Majority Report of the committee:

1. To reduce the number of video lottery machines that may be operated as follows: commercial tracks reduced to 75 video lottery machines and off-track betting facilities reduced to 25 video lottery machines;

2. To remove provisions that proposed to permit the Penobscot Nation and the Passamaquoddy Tribe to operate video lottery terminals;

3. To ban the use of the word "casino" to describe any video lottery operation;

4. To reduce the percentage of the net terminal income to which licensees are entitled from 23% to 22% and to designate this 1% of net terminal income to the Office of Substance Abuse for treatment of compulsive gambling;

5. To reduce the percentage of the net terminal income to which distributors are entitled from 22% to 21%, and to increase the state share by 1%;

6. To require that the net increase in General Fund revenue from video lottery terminals be deposited in the Maine Rainy Day Fund;

7. To replace the allocation section.

(Not adopted)