

# MAINE STATE LEGISLATURE

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**STATE OF MAINE  
119TH LEGISLATURE**

**FIRST REGULAR SESSION**

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

**JULY 1999**

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**ONE HUNDRED NINETEENTH LEGISLATURE**  
**FIRST REGULAR SESSION**

**Summary Of Legislation Before The Joint Standing and Select Committees**  
**August 1999**

We are pleased to provide this summary of all bills that were considered by the Joint Standing and Select Committees of the Maine Legislature this past session. The document is a compilation of bill summaries which describe each bill and relevant amendments, as well as the final action taken. Also included are statistical summaries of bill activity this session for the Legislature and each of its joint standing and select committees.

The document is organized for convenient reference to information on bills considered by the committees. It is organized 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](http://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  
*ENACTMENT FAILED*..... Bill failed to get vote required for enactment or final passage  
*NOT PROPERLY BEFORE THE BODY*..... Ruled out of order by the presiding officers; bill died  
*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 September 18, 1999.

**LD 1318**

**An Act to Amend the Treatment of Security Deposits Upon the Sale of a Building**

**PUBLIC 213**

<u>Sponsor(s)</u> RAND		<u>Committee Report</u> OTP-AM		<u>Amendments Adopted</u> S-128
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LD 1318 proposed to make certain that tenants can recover their security deposit from a new owner. This bill was the recommendation of the Attorney General.

**Committee Amendment "A" (S-128)** replaced the bill. It proposed that upon the transfer of a residential rental unit there must be either an accounting and transfer of all security deposits held by the landlord or a return of the security deposits to the tenants. The amendment also proposed to clarify that an entity that acquires a residential rental unit is responsible for maintaining and returning to tenants all security deposits to the extent the previous owner accounted for and transferred the security deposits to the new owner.

*Enacted law summary*

Public Law 1999, chapter 213 requires that upon the transfer of ownership of a residential unit there must be either an accounting and transfer of all security deposits held by the landlord or a return of the security deposits to the tenants. It also states that an entity that acquires a residential rental unit is responsible for maintaining and returning to tenants all security deposits to the extent the previous owner accounted for and transferred the security deposits to the new owner.

**LD 1339**

**An Act to Provide Preference to Farmers for Disaster Relief**

**ONTP**

<u>Sponsor(s)</u> AHEARNE		<u>Committee Report</u> ONTP		<u>Amendments Adopted</u>
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LD 1339 proposed to require that an individual whose primary source of income is the agricultural use of land receive preference in receiving disaster relief financial assistance.

**LD 1406**

**An Act to Prevent Forgery, Alterations or Counterfeiting of Maine State Lottery Tickets**

**PUBLIC 176**

<u>Sponsor(s)</u> CAREY		<u>Committee Report</u> OTP		<u>Amendments Adopted</u>
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LD 1406 proposed to provide penalties for forging lottery tickets or passing false lottery tickets.

This bill was submitted on behalf of the Department of Administrative and Financial Services.

*Enacted law summary*

Public Law 1999, chapter 176 makes forging, manufacturing or passing false lottery tickets a Class D crime.

**LD 1431                      RESOLUTION, Proposing an Amendment to the Constitution of Maine                      INDEF PP**  
**to Require Signatures from All Counties on Direct Initiative Petitions**

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

LD 1431 proposed to amend the Constitution of Maine to require that at least 6% of the number of signatures required on a petition to directly initiate legislation be collected in each of the 16 counties.

**Committee Amendment "A" (H-487)**, which was not adopted, proposed to strike the provision that requires that 6% of the total number of signatures on a direct initiative petition be collected in each county. It proposed to replace that provision with the requirement that signatures be collected in each county equal to an amount no less than 6% of the total vote in that county in the last gubernatorial election.

**LD 1438                      An Act to Allow for Expeditious Improvements to Commercial Tracks                      CARRIED OVER**

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

LD 1438, which has been carried over to the Second Regular Session, proposes to allow for interim payments to persons licensed to conduct pari-mutuel wagering on horse racing from the fund into which is deposited a portion of the revenue credited to the General Fund that is attributable to total wagers in excess of \$35,000,000. It also would allow commercial tracks to accumulate the balance in their share of the fund from year to year, thereby allowing tracks to fund large capital improvements.

**LD 1439                      An Act to Ensure the Preservation of Maine's Commercial Racetracks                      CARRIED OVER**

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

LD 1439, which has been carried over to the Second Regular Session, proposes to allow reimbursement to commercial racetracks for expenditures needed to enhance, preserve or restore their facilities or related assets.