

# 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 electronic originals  
(may include minor formatting differences from printed original)

**STATE OF MAINE  
119TH LEGISLATURE**

**SECOND REGULAR SESSION**

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

**JULY 2000**

***Staff:***

*Danielle D. Fox, Legislative Analyst  
Christopher Spruce, Legislative Analyst*

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

***MEMBERS:***

*Sen. Beverly C. Daggett, Chair  
Sen. Richard J. Carey  
Sen. Norman K. Ferguson, Jr.*

*Rep. John L. Tuttle, Jr., Chair  
Rep. Nancy L. Chizmar  
Rep. Charles D. Fisher  
Rep. Rosita Gagne  
Rep. Lillian LaFontaine O'Brien  
Rep. Janice E. Labrecque  
Rep. Arthur F. Mayo III  
Rep. Royce W. Perkins  
Rep. Theodore H. Heidrich  
Rep. Terrence P. McKenney*



**Maine State Legislature**  
**OFFICE OF POLICY AND LEGAL ANALYSIS**

13 State House Station, Augusta, Maine 04333-0013  
 Telephone: (207) 287-1670  
 Fax: (207) 287-1275

**ONE HUNDRED NINETEENTH LEGISLATURE**  
**SECOND REGULAR SESSION**

**Summary Of Legislation Before The Joint Standing Committees**  
**July 2000**

We are pleased to provide this summary of 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:

|   |  |
|---|--|
| <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 IN CONCURRENCE</i> .....                      | <i>One body accepts ONTP report; the other indefinitely postpones the bill</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/FINAL PASSAGE</i> ..... | <i>Emergency bill failed to get 2/3 vote</i>                                   |
| <i>FAILED ENACTMENT/FINAL PASSAGE</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>NOT PROPERLY BEFORE THE BODY</i> .....             | <i>Ruled out of order by the presiding officers; bill died</i>                 |
| <i>INDEF PP</i> .....                                 | <i>Bill Indefinitely Postponed</i>   |
| <i>ONTP</i> .....                                     | <i>Ought Not To Pass report accepted</i>                                       |
| <i>OTP ND</i> .....                                   | <i>Committee report Ought To Pass In New Draft</i>                             |
| <i>OTP ND/NT</i> .....                                | <i>Committee report Ought To Pass In New Draft/New Title</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>Bill held by Governor</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 August 11, 2000.

*David E. Boulter, Director*  
 Offices Located in the State House, Rooms 101 & 107

**LD 1438**

**An Act to Allow for Expeditious Improvements to Commercial Tracks**

**PUBLIC 622**

|                              |                                   |                                    |
|------------------------------|-----------------------------------|------------------------------------|
| <u>Sponsor(s)</u><br>DAGGETT | <u>Committee Report</u><br>OTP-AM | <u>Amendments Adopted</u><br>S-541 |
|------------------------------|-----------------------------------|------------------------------------|

LD 1438 proposed to allow the Harness Racing Commission to make 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 allows commercial tracks to accumulate the balance in their share of the fund from year to year, thereby allowing tracks to fund large capital improvements.

**Committee Amendment "A" (S-541)** clarifies the original bill by specifying that a commercial track may request reimbursements for improvements made during prior years beginning with the year 2000. The amendment also clarifies the definition of "improvements" to differentiate between routine repairs and maintenance and substantial enhancement to property and moveable assets.

***Enacted law summary***

Public Law 1999, chapter 622 allows the Harness Racing Commission to give interim payments to commercial tracks that are licensed to conduct harness racing. The money for these payments comes from the commercial meet account which is funded by the revenue credited to the General Fund in excess of \$35,000,000. The law allows commercial tracks to request reimbursements for improvements made to their facilities during prior years beginning January 1, 2000. Under this law, a track may accumulate its balance from reimbursements from year to year, allowing them to fund large capital improvements. This law also specifies that capital improvements are a substantial enhancement to property and do not include routine repairs and maintenance.

**LD 1439**

**An Act to Ensure the Preservation of Maine's Commercial Racetracks**

**ONTP**

|                              |                                 |                           |
|------------------------------|---------------------------------|---------------------------|
| <u>Sponsor(s)</u><br>DAGGETT | <u>Committee Report</u><br>ONTP | <u>Amendments Adopted</u> |
|------------------------------|---------------------------------|---------------------------|

LD 1439 proposed to allow the Harness Racing Commission to make reimbursements to commercial racetracks for expenditures needed to enhance, preserve or restore their facilities or related assets.

**LD 1504**

**An Act to Amend the Lobbyist Registration Fee Provisions**

**PUBLIC 745**

|                            |                                   |                                    |
|----------------------------|-----------------------------------|------------------------------------|
| <u>Sponsor(s)</u><br>CAREY | <u>Committee Report</u><br>OTP-AM | <u>Amendments Adopted</u><br>S-582 |
|----------------------------|-----------------------------------|------------------------------------|

LD 1504 proposed to reduce the registration fee paid annually by lobbyists and lobbyist associates and provides for all fees collected to be credited to a dedicated lobbyist registration fee account administered by the Commission on Governmental Ethics and Election Practices. The bill also proposed that the electronic filing system administered by the commission must be funded by the Maine Clean Election Fund; lobbyist registration fees, penalties and certain other revenues; and by other entities that may benefit from the electronic filing system.

**Committee Amendment "A" (S-263)**, which was not adopted, proposed to remove provisions in the original bill pertaining to electronic filing. It proposed to retain only the provisions that reduce lobbying fees and require that the fees be deposited in a dedicated account.

This amendment also proposed to add a fiscal note to the bill.

**Committee Amendment "B" (S-582)** proposed to remove provisions in the original bill pertaining to electronic filing and the requirement that fees be deposited in a dedicated account. The amendment proposed to retain only the provisions that reduce lobbying fees.

This amendment also proposed to add a fiscal note to the bill.

***Enacted law summary***

Public Law 1999, chapter 745 reduces the registration fee paid annually by lobbyists and lobbyists' associates from \$400 and \$200 to \$200 and \$100, respectively.

**LD 1544                      An Act to Study the Effectiveness of Harness Racing Promotions                      DIED BETWEEN BODIES**

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

LD 1544 proposed to abolish the Harness Racing Promotional Board effective July 10, 2000. The bill also proposed to establish the Commission to Study the Effectiveness of Harness Racing Promotions, which would have reported to the Second Regular Session of the 119th Legislature no later than January 10, 2000.

**Committee Amendment "A" (H-1029)** proposed to change current law by prohibiting money from the Harness Racing Promotional Fund from being used to pay the administration of the Harness Racing Promotion Board, the expenses of its members or the salary of the executive director. The amendment also proposed to require that the board include in its annual report to the Legislature a marketing plan based on its statutory duties. The amendment proposed to repeal the Harness Racing Promotion Board June 3, 2001 and would have added a fiscal note to the bill.