

# 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.

**Enacted law summary**

Public Law 1999, chapter 273 provides that the prohibitions against solicitation of campaign contributions do not prohibit elected officials or their agents from attending a fundraising event held by a political party.

**LD 1657**

**An Act to Clarify the Laws Relating to Off-track Betting Facilities**

**PUBLIC 421**

<u>Sponsor(s)</u>	<u>Committee Report</u>	<u>Amendments Adopted</u>
KIEFFER	OTP-AM MAJ	S-312
CLARK	ONTP MIN	

LD 1657 proposed to amend the statute for licensing off-track betting facilities to clarify that a person other than the owner of the restaurant, lounge or hotel at which the facility is to be located may be the licensed operator of the facility. This bill also proposed to expand the eligibility for reduced payments to licensees of off-track betting facilities.

**Committee Amendment "A" (S-312)** proposed to amend the bill. It changed the time period that makes licensed off-track betting facilities eligible for reduced payments to racing licensees. The amendment also restructured the liquor license issued to off-track betting facilities to require the Class A lounge and the Class A restaurant be separate from each other under the license.

**Enacted law summary**

Public Law 1999, chapter 421 changes the time period that makes licensed off-track betting facilities eligible for reduced payments to racing licensees from 1997 to 2000. This law also restructures the liquor license issued to off-track betting facilities to require a Class A lounge and a Class A restaurant be separate from each other under the license.

**LD 1715**

**An Act to Allow Charitable Nonprofit Organizations to Conduct Limited Video Gaming CARRIED OVER**

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

LD 1715, which has been carried over to the Second Regular Session, proposes to allow operation of video gaming terminals by nonprofit organizations that are eligible for games of chance licenses and that are exempt from federal tax under Internal Revenue Code, Sections 501(c)(3), 501(c)(4), 501(c)(8), 501(c)(10) or 501(c)(19). These sections of the tax code refer to charitable organizations, civic leagues, fraternal benefit societies, domestic fraternal societies and associations and veterans organizations. Organizations that currently have licenses for electronic video machines but do not qualify under one of those code sections may apply for an initial license while they seek the required federal tax status under this bill. The organization applying for the license must own or lease the premises on which the terminals will be placed and must use the premises for its charitable or nonprofit purpose with this proposal.

This bill is also proposing that video gaming terminal manufacturers, distributors, wholesalers and operators must be licensed by the Chief of the State Police, following background investigations of the applicants and their major business partners. Local approval is required for a license to operate video gaming terminals.

The license would specify the number of terminals allowed on the premises, and the maximum number of terminals allowed is five per licensee. Terminals would be licensed by the Chief of the State Police and must be connected to a

computer system operated by the Director of the Bureau of Alcoholic Beverages and Lottery Operations. This computer system would provide continuous on-line monitoring of video gaming terminal activity. Persons under 21 years of age are not allowed to use the machines. Only members of the organization and their guests would be allowed to play, except that the organization may obtain a license to offer the machines for public use once every six months for a period of three consecutive days. The maximum dollar amount for each play would be \$2 and the maximum payout is \$1,000. Each game on each machine must return at least 90% of wagers to players, calculated on an annual basis with this proposal.

A single distributor would not be permitted to own more than 300 machines or 15% of the total number of machines in the State, whichever is less. A person may not hold more than one type of license; for example, a distributor may not also be a licensee or a manufacturer.

Net terminal income, which is income after payback to players, would be divided as follows: 33 1/3% to the State for payment into the Video Gaming Fund for administrative expenses, municipal revenue sharing and General Fund revenue; 33 1/3% to the distributor; and 33 1/3% to the licensee.

With this bill, licenses are issued for one year. Applicants for an initial license would pay the actual costs of processing the application and performing the background investigation.

**LD 1728                      Resolve, Authorizing Certain Members of the Sullivan Family to Bring      CARRIED OVER**  
**Suit Against the State**

<u>Sponsor(s)</u> LONGLEY	<u>Committee Report</u>	<u>Amendments Adopted</u>
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LD 1728, which has been carried over to the Second Regular Session, proposes to authorize John Sullivan, Demain Sullivan, Kristen Sullivan and Sean Sullivan to bring a civil suit against the State for damages resulting from an automobile accident, which occurred on July 2, 1998 on Route 131 in Waldo.

**LD 1743                      An Act to Preserve Live Harness Racing in the State                      CARRIED OVER**

<u>Sponsor(s)</u> TESSIER DAGGETT	<u>Committee Report</u>	<u>Amendments Adopted</u>
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LD 1743, which has been carried over to the Second Regular Session, proposes to allow commercial tracks to accept over-the-telephone wagers on races conducted at that track, but only from individuals with prefunded accounts established at the track.