

MAINE STATE LEGISLATURE

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**STATE OF MAINE
119TH LEGISLATURE**

SECOND REGULAR SESSION

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

JULY 2000

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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).

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:

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
FAILED EMERGENCY ENACTMENT/FINAL PASSAGE..... Emergency bill failed to get 2/3 vote
FAILED ENACTMENT/FINAL PASSAGE..... Bill failed to get majority vote
FAILED MANDATE ENACTMENT..... Bill imposing local mandate failed to get 2/3 vote
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 Second Regular Session (unless otherwise specified in a particular law) is August 11, 2000.

David E. Boulter, Director
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<u>Sponsor(s)</u>	<u>Committee Report</u>	<u>Amendments Adopted</u>
TUTTLE	OTP-AM	H-807

LD 1644 proposed to amend the limitations on off-track betting facilities to clarify that, by racing the number of days prescribed in the Maine Revised Statutes, Title 8, section 275-N, commercial tracks are entitled to engage in simulcasting during their live race meets.

Committee Amendment "A" (H-807) would clarify proposed language that amends the limitations on off-track betting facilities. The amendment also proposed to amend the liquor laws by permitting a minor on the premises of a Class A lounge where harness horse racing is conducted if the minor is at least 18 years of age.

Enacted law summary

Public Law 1999, chapter 568 states that a commercial track may conduct interstate simulcasting of horse races during a regular race meet at the track. This law also changes the liquor laws by permitting a minor who is at least 18 years of age on the premises of a class A lounge where harness horse racing is conducted.

Public Law 1999, chapter 568 was enacted as an emergency measure effective March 21, 2000.

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

LD 1715 proposed to allow the 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. Under this proposal, 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. 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, as proposed by LD 1715.

The bill proposed 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 would be required for a license to operate video gaming terminals under this bill.

As proposed, the license specifies the number of terminals allowed on the premises, and that the maximum number of terminals allowed is 5 per licensee. Terminals would be licensed by the Chief of the State Police and would be required to 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 would not be 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 6 months for a period of 3 consecutive days. The bill proposed that the maximum dollar amount for each play would be \$2 and the maximum payout would be \$1,000. Each game on each machine would be required to return at least 90% of wagers to players, calculated on an annual basis.

As proposed by this bill, a single distributor would not be able to own more than 300 machines or 15% of the total number of machines in the State, whichever is less. A person could not hold more than one type of license; for example, a distributor would not be able to also act as a licensee or a manufacturer.

Net terminal income, which is income after payback to players, was proposed to 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.

The bill proposed that licenses be issued for one year. Applicants for an initial license must pay the actual costs of processing the application and performing the background investigation.

LD 1728

Resolve, Authorizing the Members of the Sullivan Family to Bring Suit Against Waldo County and the State

ONTP

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

LD 1728, a resolve, proposed 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.

Committee Amendment "A" (S-154) proposed to do the following:

1. Modify the resolve to authorize a suit against Waldo County rather than the State;
2. Add a mandate preamble to the resolve;
3. Remove language limiting recovery to the applicable insurance policy limits;
4. Change the title to reflect the changes to the resolve; and
5. Add a fiscal note.