

# 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](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:

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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LD 1743

An Act to Preserve Live Harness Racing in the State

VETO  
SUSTAINED

<u>Sponsor(s)</u>	<u>Committee Report</u>	<u>Amendments Adopted</u>
TESSIER	OTP-AM MAJ	H-913
DAGGETT	ONTP MIN	S-638 DAGGETT

LD 1743 proposed 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. Monies wagered by telephone account wagering would be subject to the same commissions as wagers placed directly at the track under this proposal. This bill proposed that wagering be limited to bets placed at commercial tracks or races conducted at commercial tracks.

**Committee Amendment "A" (H-913)** proposed to allow licensed off-track betting facilities and any facilities licensed to conduct simulcast racing to conduct telephone wagering on races. The amendment also proposed to add a minimum deposit requirement and states that accounts may be established only by residents of this State. Under this amendment, money used to place telephone account wagers must be on deposit with the licensed facility in an amount sufficient to cover the wagers.

This amendment also adds an appropriation section and a fiscal note to the bill.

**Senate Amendment "A" to Committee Amendment "A" (S-638)** proposed to allow the deposit which established the telephone betting account to be in the form of a confirmed credit card transaction. This amendment clarifies that the actual telephone account wagers may not be placed using a credit card.

**LD 1796**

An Act to Improve the Absentee Voting Process

**PUBLIC 645  
EMERGENCY**

<u>Sponsor(s)</u>	<u>Committee Report</u>	<u>Amendments Adopted</u>
DAGGETT	OTP-AM	S-515
TUTTLE		

LD 1796 proposed to allow any voter to vote by absentee ballot at any election, and remove the current requirement to state reasons for permitting a person to vote by absentee ballot. This bill also proposed to clarify the procedures for requesting and issuing an absentee ballot. The bill further proposed to amend the procedure for a candidate or a candidate's representative to inspect absentee ballot applications and envelopes on election day before the ballots are processed.

**Committee Amendment "A" (S-515)** proposed to add a definition of "third person" or "3rd person" to the election laws. It proposed to make several minor technical amendments including: clarifying a reference to residential care facilities; removing references to obsolete punch card voting machines; moving a provision that preserves secrecy for voters to an appropriate section of the election laws; and corrects a section of the Maine Revised Statutes, Title 30-A that mistakenly provides that candidates for municipal office file campaign reports with the Secretary of State instead of the Commission on Governmental Ethics and

Election Practices. The amendment also proposed to add an emergency preamble and emergency clause to the bill.

***Enacted law summary***

Public Law 1999, chapter 645 allows a voter to vote by absentee ballot at any election and removes past requirements for stating the reason for permitting a person to vote by absentee ballot. This law also clarifies the procedures for requesting an absentee ballot. This law imposes an earlier deadline on candidates who wish to inspect absentee ballots before they are processed. A candidate must notify the clerk by 5 pm the day before an election regarding the intent to inspect. The candidate then has 30 minutes to inspect absentee ballots.

Public Law 1999, chapter 645 was enacted as an emergency measure effective April 10, 2000.

**LD 1901**

**An Act to Prohibit the Scalping of Entertainment Tickets**

**DIED IN  
CONCURRENCE**

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

LD 1901 proposed to make it unlawful to resell a ticket to a sporting event or other public entertainment at a public facility at an inflated price, a practice commonly known as "ticket scalping."

**Committee Amendment "A" (H-774)** proposed to strike from the original bill, a section defining a "service charge" for the resale of a ticket to a theatrical exhibition, sporting event or public amusement. It also proposed to exempt ticket-selling businesses that are registered or certified to do business in the State from the provisions set out by the amended bill. The amendment would have added a fiscal note to the bill.

**LD 1932**

**An Act to Create the Beano and Games of Chance Commission**

**ONTP**

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

LD 1932 proposed to create the Beano and Games of Chance Commission. It would have replaced the Chief of the State Police as the administrator of the beano and games of chance laws with the commission. The Chief of the State Police would have remained the enforcement body with regard to beano and games of chance.

Under this proposal, the Beano and Games of Chance Commission would have consisted of 5 members appointed by the Governor and subject to approval by the joint standing committee of the Legislature having jurisdiction over legal and veterans affairs.