

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).

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.

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

LD 1832 proposed to prohibit a state agency or independent agency employee from taking a position or expressing personal opinion in testimony before a committee of the Legislature.

Committee Amendment "A" (H-415), which was not adopted, proposed to clarify the original bill by restricting anyone officially representing a state agency from taking a position or expressing a personal opinion on an issue when testifying before a legislative committee. That person would have been permitted to provide written information and respond to committee requests either orally or in writing under this amendment.

<u>Sponsor(s)</u>	<u>Committee Report</u>	<u>Amendments Adopted</u>
TRUE CAREY	OTP-AM	H-703 S-367 DAGGETT

LD 1837 proposed to amend the harness racing laws regarding exclusive bargaining agent elections and allows greater voter participation in the election. The bill proposed to establish a compulsory binding arbitration process to resolve disputes between exclusive bargaining agents and commercial racetracks. It would have provided for auditing procedures enabling the exclusive bargaining agents and the Harness Racing Commission to have the purse trust accounts audited. The bill also proposed to amend the definition of a commercial racetrack and makes the definition retroactive to January 1, 1999.

Committee Amendment "A" (H-703) proposed to delete all language in the original bill that would amend the laws pertaining to the relationship between the exclusive bargaining agent and a harness racing track and the distribution of the handle from harness racing events. It clarified the definition of "commercial track" retroactively. The amendment changed the way an eligible voter is determined in the process of selecting the exclusive bargaining agent. It also extended, by one year, the repeal of the laws pertaining to the relationship between the exclusive bargaining agent and a harness racing track. Finally, the amendment proposed to establish a dispute resolution process, which begins with voluntary mediation and requires a racetrack and the exclusive bargaining agent to submit to binding arbitration if no resolution is reached using a mediator.

House Amendment "A" to Committee Amendment "A" (H-706), which was not adopted, proposed to remove all requirements for a harness racing track and the exclusive bargaining agent for the track to submit to binding arbitration.

Senate Amendment "A" to Committee Amendment "A" (S-367) proposed to remove the requirement for binding arbitration and created a more detailed mediation process for the racetrack and the exclusive bargaining agent.

Enacted law summary

Public Law 1999, chapter 482 clarifies the definition of commercial track in the harness racing industry, retroactively, and changes the way an “eligible voter” is determined in the process of selecting an exclusive bargaining agent to work with the tracks. It also extends, by one year, the repeal of the laws pertaining to the relationship between the exclusive