

# MAINE STATE LEGISLATURE

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*State Of Maine  
121st Legislature*

*Second Regular Session and  
Second Special Session*

*Bill Summaries*

*Joint Standing Committee  
on  
Legal and Veterans' Affairs*

*May 2004*

**Staff:**

*Danielle D. Fox, Legislative Analyst  
Lucia Nixon, Legislative Analyst*

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

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*Maine State Legislature*



*Office Of Policy And Legal Analysis  
Office Of Fiscal And Program Review*

*121st Maine Legislature  
Second Regular Session and  
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*Summary Of Legislation Before The Joint Standing Committees*

Enclosed please find a summary of all bills, resolves, joint study orders, joint resolutions and Constitutional resolutions that were considered by the joint standing and joint 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 committees.

The document is organized for convenient reference to information on bills considered by the committees. It is arranged alphabetically by committee name 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/billsumm.htm](http://www.state.me.us/legis/opla/billsumm.htm)).

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
- P&S XXX..... Chapter # of enacted Private & Special Law
- PASSED..... Joint Order passed in both bodies
- 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 that the effective date for all non-emergency legislation enacted in the Second Regular Session (unless otherwise specified in a particular law) is April 30, 2004; and non-emergency legislation enacted in the Second Special Session is July 30, 2004. Four bills (LD's 1572, 1629, 1636 and 1637) that were considered at the First Special Session in August 2003 are also included in these summaries.

*David C. Elliott, Director*  
**Offices located in Room 215 of the Cross Office Building**

*Joint Standing Committee on Legal and Veterans' Affairs*

**LD 578**

**An Act To Increase the Sale of Lottery Tickets To Benefit Conservation and Wildlife**

**PUBLIC 516**

Sponsor(s)	Committee Report	Amendments Adopted
DUPLESSIE	OTP-AM MAJ	H-635
BRYANT	ONTP MIN	

LD 578 proposed to require the Department of Administrative and Financial Services, State Liquor and Lottery Commission to issue \$2, \$3 and \$5 wildlife lottery game tickets, in addition to the \$1 tickets currently offered, to benefit the Maine Outdoor Heritage Fund. The bill proposed to establish requirements for lottery agents regarding the sale of wildlife lottery game tickets. The requirements proposed would specify the number of different wildlife lottery game tickets the agent must offer based on the number of different instant tickets offered by the agent. The bill also proposed that a portion of revenues from the sale of wildlife lottery game tickets to promote the sale of those tickets.

**Committee Amendment "A" (H-635)** The amendment proposed to replace the bill and to increase the sales commission paid to agents for the sale of wildlife lottery tickets so that it would be one percentage point higher than the sales commission paid to agents for the sale of other instant tickets.

***Enacted Law Summary***

Public Law 2003, chapter 516 increases the sales commission paid to agents for the sale of wildlife lottery game tickets to benefit the Maine Outdoor Heritage Fund so that it is one percentage point higher than the sales commission paid to lottery agents for the sale of other instant tickets.

**LD 640**

**An Act To Reduce the Voting Age Qualification for State Primary Elections for Voters Who Will Reach 18 Years of Age by the Time of the General Election**

**PUBLIC 577**

Sponsor(s)	Committee Report	Amendments Adopted
CUMMINGS	OTP-AM MAJ	H-637
GAGNON	ONTP MIN	

LD 640

This constitutional resolution proposed to reduce the voting age qualifications by 12 months, subject to approval at referendum.

**Committee Amendment "A" (H-637)** proposed to replace the resolution. It proposed to amend current law to allow someone who is not yet 18 years of age, but will be at the time of a general election, to vote in the immediately preceding primary election for the selection of candidates.

## Joint Standing Committee on Legal and Veterans' Affairs

### Enacted Law Summary

Public Law 2003, chapter 577 amends current law to allow someone who is not yet 18 years of age, but will be at the time of a general election, to vote in the immediately preceding primary election for the selection of candidates.

**LD 642**                      **An Act To Ensure the Economic Viability of the Harness Racing Industry**                      **DIED IN CONCURRENCE**

Sponsor(s)	Committee Report	Amendments Adopted
USHER PENDLETON	ONTP      MAJ OTP-AM    MIN	

LD 642 proposed to expand wagering opportunities at racetracks in the State. This bill proposed to accomplish the following:

1. It would authorize the sale of pari-mutuel pools on live, simulcast or replayed horse races by commercial tracks; and
2. It would authorize the issuance to commercial tracks of licenses to conduct high-stakes beano.

**Committee Amendment "A" (H-906)** which was not adopted, proposed to replace the bill and would authorize the Chief of the State Police to issue a license to conduct high-stakes beano on non-Indian Territory to a federally recognized Maine tribe that is currently eligible but not operating high-stakes beano. The location of the games would be required to be within 45 miles of the tribe's land and at least 75 miles from the land of any other tribe conducting high-stakes beano. This amendment was not intended to allow the operation of games on land owned by the Passamaquoddy tribe in Albany Township.

**House Amendment "A" to Committee Amendment "A" (H-912)** which was not adopted, proposed to specify that smoking would be prohibited in public places where high-stakes beano is being conducted by a federally recognized Maine tribe on non-Indian Territory.

**House Amendment "B" to Committee Amendment "A" (H-942)** which was not adopted, proposed to remove the restriction that would prevent the Penobscot Nation from operating high-stakes beano on nontribal land.

**House Amendment "C" to Committee Amendment "A" (H-945)** which was not adopted, proposed to authorize the sale of pari-mutuel pools on live, simulcast or replayed horse races by commercial tracks. This amendment also proposed to authorize the sale of lucky seven or similar sealed tickets during those times when a commercial track is licensed to accept pari-mutuel wagers.