

# 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*

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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  
Second Special Session*

*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*  
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## 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.