

# MAINE STATE LEGISLATURE

The following document is provided by the  
**LAW AND LEGISLATIVE DIGITAL LIBRARY**  
at the Maine State Law and Legislative Reference Library  
<http://legislature.maine.gov/lawlib>



Reproduced from electronic originals  
(may include minor formatting differences from printed original)

*State Of Maine  
121st Legislature*

*First Regular Session*

*Bill Summaries*

*Joint Standing Committee  
on  
Legal and Veterans' Affairs*

*July 2003*

**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*

**Members:**

*Sen. Kenneth T. Gagnon, Chair  
Sen. Kenneth F. Lemont  
Sen. Arthur F. Mayo III*

*Rep. Joseph E. Clark, Chair  
Rep. John L. Patrick  
Rep. Patricia A. Blanchette  
Rep. Marilyn E. Canavan  
Rep. Rodney C. Jennings  
Rep. Roger A. Landry  
Rep. Gary W. Moore  
Rep. Kevin J. Glenn  
Rep. Richard B. Brown  
Rep. Randy E. Hotham*

# Maine State Legislature



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

### 121st Maine Legislature First Regular 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](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:

<i>CARRIED OVER PURSUANT TO HP 1212</i> .....	<i>Bills carried over to the 2<sup>nd</sup> Regular Session</i>
<i>CON RES XXX</i> .....	<i>Chapter # of Constitutional Resolution passed by both Houses</i>
<i>CONF CMTE UNABLE TO AGREE</i> .....	<i>Committee of Conference unable to agree; bill died</i>
<i>DIED BETWEEN BODIES</i> .....	<i>House &amp; Senate disagree; bill died</i>
<i>DIED IN CONCURRENCE</i> .....	<i>One body accepts ONTP report; the other indefinitely postpones the bill</i>
<i>DIED ON ADJOURNMENT</i> .....	<i>Action incomplete when session ended; bill died</i>
<i>EMERGENCY</i> .....	<i>Enacted law takes effect sooner than 90 days</i>
<i>FAILED EMERGENCY ENACTMENT/FINAL PASSAGE</i> .....	<i>Emergency bill failed to get 2/3 vote</i>
<i>FAILED ENACTMENT/FINAL PASSAGE</i> .....	<i>Bill failed to get majority vote</i>
<i>FAILED MANDATE ENACTMENT</i> .....	<i>Bill imposing local mandate failed to get 2/3 vote</i>
<i>NOT PROPERLY BEFORE THE BODY</i> .....	<i>Ruled out of order by the presiding officers; bill died</i>
<i>INDEF PP</i> .....	<i>Bill Indefinitely Postponed</i>
<i>ONTP</i> .....	<i>Ought Not To Pass report accepted</i>
<i>OTP-ND</i> .....	<i>Committee report Ought To Pass In New Draft</i>
<i>P&amp;S XXX</i> .....	<i>Chapter # of enacted Private &amp; Special Law</i>
<i>PASSED</i> .....	<i>Joint Order passed in both bodies</i>
<i>PUBLIC XXX</i> .....	<i>Chapter # of enacted Public Law</i>
<i>RESOLVE XXX</i> .....	<i>Chapter # of finally passed Resolve</i>
<i>UNSIGNED</i> .....	<i>Bill held by Governor</i>
<i>VETO SUSTAINED</i> .....	<i>Legislature failed to override Governor's Veto</i>

Please note that the effective date for all non-emergency legislation enacted in the First Regular Session (unless otherwise specified in a particular law) is September 13, 2003.

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

*Joint Standing Committee on Legal and Veterans' Affairs*

**LD 642**                      **An Act To Ensure the Economic Viability of the Harness Racing Industry**                      **CARRIED OVER**

<u>Sponsor(s)</u>	<u>Committee Report</u>	<u>Amendments Adopted</u>
USHER PENDLETON		

LD 642, which was carried over to the Second Regular Session, proposes to expand wagering opportunities at racetracks in the State. It proposes to authorize the sale of pari-mutuel pools on live, simulcast or replayed horse races by commercial tracks and to authorize commercial tracks to conduct high-stakes beano.

**LD 656**                      **An Act to Allow Beverage Sales from Mobile Service Bars on Golf Courses**                      **CARRIED OVER**

<u>Sponsor(s)</u>	<u>Committee Report</u>	<u>Amendments Adopted</u>
BROWNE MAYO		

LD 656 which was carried over to the Second Regular Session, proposes to permit the Department of Public Safety, Bureau of Liquor Enforcement to license golf courses to serve liquor on courses from mobile service bars. The bill proposes to establish the annual license fee for a mobile service bar at \$100 and limit sales from a mobile service bar to just malt liquor. It would also require that a licensee ensure that malt liquor would be served to only those engaged in a round of golf and that the operator of a mobile service bar successfully complete an alcohol server education course approved by the Bureau of Liquor Enforcement within the Department of Public Safety. The bill also proposes to require that the bureau revoke a license for a mobile service bar for violation of the liquor laws or any rule adopted by the bureau. The bill would provide for the repeal of the mobile service bar license provisions on January 1, 2006.

**LD 659**                      **An Act To Standardize Reporting Requirements for State Party Committees' Expenditures and Contributions**                      **PUBLIC 302**

<u>Sponsor(s)</u>	<u>Committee Report</u>	<u>Amendments Adopted</u>
CANAVAN GAGNON	OTP-AM	H-301 H-329 MOODY

LD 659 proposed to standardize campaign finance reporting requirements by putting political action committees, party committees and disclosure of independent electioneering expenditures on the same reporting schedule. As proposed by this bill, persons making independent electioneering expenditures in races involving a Maine Clean Election Act candidate would be required to file additional reports on the same schedule as accelerated reports by candidates.

**Committee Amendment "A" (H-301)** proposed to strike the section of the bill that would create a specific schedule for any person, party committee, political committee or political action committee that makes an independent expenditure. It also proposed to amend the section of the bill that would create a specific schedule for

## *Joint Standing Committee on Legal and Veterans' Affairs*

party committees to file reports of contributions and expenditures by specifying that this schedule would only apply to state party committees.

**House Amendment "A" to Committee Amendment "A" (H-329)** proposed to require that political literature that is not authorized by a candidate must clearly and conspicuously state that the communication is not authorized by any candidate. This amendment proposed to specify the point size, font and typeface of this statement, as well as the exact words to be used.

### ***Enacted Law Summary***

Public Law 2003, chapter 302 creates a specific schedule for state party committees to file reports of expenditures and contributions. It also specifies the point size, font and type face of the disclaimer "not paid for or authorized by any candidate" where that disclaimer is required under current law.

**LD 674**                      **An Act To Require Winners of State and Congressional Elections to Receive a Simple Majority of the Total Vote**                      **ONTP**

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

LD 674 proposed to require that if no one candidate receives more than 50% of the votes in a race in a general election, a run-off election between the 2 candidates receiving the most votes in the original election must be conducted.

**LD 704**                      **An Act Relating to Harness Racing Laws**                      **PUBLIC 401  
EMERGENCY**

<u>Sponsor(s)</u>	<u>Committee Report</u>	<u>Amendments Adopted</u>
LUNDEEN BRYANT	OTP-AM	H-397 H-479 CLARK

Current law specifies that the Department of Agriculture, Food and Rural Resources "take the lead" in developing state policy with respect to harness racing. LD 704 proposed instead to direct the department to cooperate with the State Harness Racing Commission in developing such state policy.

It also proposed to direct the State Harness Racing Commission to share the duty of reviewing racing-related statutes and rules on an ongoing basis and would require that the appointment of the executive director receive the commissioner's approval.

It proposed to identify the executive director's duty to report and recommend changes regarding harness racing as the work of the commission, rather than as the work of the department.

This bill proposed to repeal the provision requiring the establishment of trust accounts and instead would require the licensee to pay to an association of horsemen up to 1.5% of all amounts generated for the purpose of supplementing purses.