

MAINE STATE LEGISLATURE

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STATE OF MAINE
123RD LEGISLATURE
FIRST REGULAR SESSION



Summaries of bills and adopted amendments and laws enacted or finally passed during the First Regular Session of the 123rd Maine Legislature coming from the

**JOINT STANDING COMMITTEE ON LEGAL AND
VETERANS' AFFAIRS**

July 2007

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* Representative Stacey Fitts replaced former Representative Abigail Holman on the Legal and Veterans' Affairs Committee.

STATE OF MAINE

123RD LEGISLATURE

FIRST REGULAR SESSION

LEGISLATIVE DIGEST OF BILL SUMMARIES AND ENACTED LAWS



This *Legislative Digest of Bill Summaries and Enacted Laws* summarizes all bills and adopted amendments and all laws enacted or finally passed during the First Regular Session of the 123rd Maine Legislature, which was in session from December 6, 2006 to June 21, 2007.

The *Digest* is arranged alphabetically by committee, and within each committee by LD number. The committee report(s), prime sponsor and lead co-sponsor(s), if designated, are listed below each bill title. All adopted amendments are summarized and listed by paper number. A subject index is included with each committee. The appendices include a summary of relevant session statistics, an index of all bills by LD number and an index of enacted laws by law type and chapter number.

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 (or Accepted ONTP report).....	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 non-emergency legislation enacted in the First Regular Session is **September 20, 2007**. The effective date for legislation enacted as an emergency measure is specified in the enacted law summary for those bills.

Joint Standing Committee on Legal and Veterans Affairs

- the candidate withdrew due to becoming permanently and continuously incapacitated; or
- the candidate died.

The replacement candidate must be nominated by the 4th Monday in July preceding the general election (or as soon as practicable if the candidate withdrew because of incapacitation or the candidate died).

This bill would allow the party to name a replacement for a candidate who withdrew after only filing a primary petition with the Secretary of State. Current law provides that certified primary petitions must be filed by March 15th.

LD 805

An Act To Authorize a Tribal Commercial Track and Slot Machines in Washington County

VETO SUSTAINED

<u>Sponsor(s)</u>	<u>Committee Report</u>	<u>Amendments Adopted</u>
	OTP MAJ ONTP MIN	S-37 MARRACHE

This bill was presented to the 123rd Legislature as a result of the citizen initiative process provided for by the Constitution of Maine. The bill amends the current framework that authorizes and regulates the existing racino in Bangor to allow for slot machines to be operated at a tribal commercial harness racing track in Washington County.

Currently, a commercial track operator is eligible for a slot machine operator license. This bill creates a tribal commercial track, comparable to a commercial track, and provides that the tribal track would be eligible for a license to operate slot machines. Under this bill, a tribal commercial track would be more than 90 miles from an existing commercial track and within 45 miles of tribal land. A tribal commercial track would be required to race a minimum of 25 days annually. LD 805 places the same requirements on a tribal commercial track that exist for regular commercial tracks including payments to the state, off-track betting facilities, agricultural fairs and other industry related funds. All licensing requirements in existing law would apply to a tribal commercial track slot machine facility. The current statewide limit for slot machines is 1500. LD 805 raises that limit to 3000.

The distribution of slot machine revenue would be the same for a tribal racino as is required by law for the Bangor racino with the following exceptions:

- 1) The revenue from the tribal racino required to be distributed for scholarships at the University System and Community Colleges would be dedicated to campuses in Washington County.
- 2) The tribal racino also makes two additional distributions - 1% to the Washington County Development Authority and 1% to career and technical education centers in Washington County.

Finally, this initiated bill provides for a license to conduct high-stakes beano on non-tribal land in Washington County and that the license may be issued jointly to all Federally recognized tribes in the state.

This bill was passed by the Legislature without change, in accordance with the Constitution Maine, but then vetoed by the Governor. The veto was sustained. In accordance with the Constitution of Maine, this initiated bill will be put before the people of the state for a vote in November 2007.

Senate Amendment "A" (S-37)

This amendment incorporates a fiscal note.