

# MAINE STATE LEGISLATURE

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STATE OF MAINE  
123<sup>RD</sup> LEGISLATURE  
FIRST REGULAR SESSION



Summaries of bills and adopted amendments and laws enacted or finally passed during the First Regular Session of the 123<sup>rd</sup> 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

123<sup>RD</sup> 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 123<sup>rd</sup> 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*

**LD 1877**

**Resolve, Regarding Legislative Review of Portions of Chapter 3: Maine Clean Election Act and Related Provisions, a Major Substantive Rule of the Commission on Governmental Ethics and Election Practices**

**RESOLVE 72  
EMERGENCY**

Sponsor(s)

Committee Report

Amendments Adopted

OTP

This resolve provides for legislative review of portions of Chapter 3: Maine Clean Election Act and Related Provisions, a major substantive rule of the Commission on Governmental Ethics and Election Practices.

**Enacted Law Summary**

Resolve 2007, chapter 72 approved Major Substantive Rules regarding the Maine Clean Election Act provisionally adopted by the Commission on Governmental Ethics and Election Practices. Those rules contain the following amendments to the Major Substantive Rules in Chapter 3 governing the administration of Maine Clean Election Act:

- Clarifies that any qualifying contributions received more than 5 days before a candidate files a Declaration of Intent with the Commission will not count towards the required minimum;
- Removes the requirement that the candidate identify the treasurer and political committee on the Declaration of Intent;
- Removes the requirement that information about the campaign’s financial institution and the candidate’s social security or tax identification number be disclosed on the Declaration of Intent;
- Requires that the Declaration of Intent include an affirmation that the candidate has read and will comply with the guidelines on using public funds;
- Changes the content of the receipt and acknowledgement form that candidates use in collecting qualifying contributions and signatures by eliminating the requirement for candidates to sign each form separately, and instead requiring candidates to affirm their compliance with all qualifying contribution requirements on a new certification request form;
- Clarifies that the proof of the contributor’s voter registration, (i.e. the signature of the municipal registrar or clerk on the receipt and acknowledgement form) will not be accepted by the Commission after the close of the qualifying period;
- Eliminates the option for candidates to submit photocopies or receipt and acknowledgment forms prior to the deadline of the qualifying period as long as the verified original forms were submitted to the Commission within 10 days after the photocopies were delivered to the Commission;
- Clarifies the procedures for requesting certification as a Maine Clean Election Act candidate;
- Clarifies the process by which matching funds are calculated;
- Requires a campaign treasurer to keep bank account records and vendor invoices and authorizes the Commission to require the return of funds if a candidate or treasurer cannot produce supporting documentation for an expenditure, or otherwise failed to keep records;
- Clarifies that Maine Clean Election Act funds can be commingled with unspent money and that matching funds can only be spent after the candidate receives authorization
- Eliminates the pro rata reimbursement for vehicle travel expense based on actual expenses; and
- Allows primary and general election candidates to reserve \$1000 and \$2500, respectively, to defray the costs associated with an audit.

# Joint Standing Committee on Legal and Veterans Affairs

This resolve was enacted as an emergency measure effective June 8, 2007.

**LD 1879      An Act To Allow Additional Slot Machines at a Harness Horse Racing Track To Support Harness Horse Racing, Passenger and Freight Train Service on the Mountain Division Rail Line and Passenger Train Service Overseen by the Northern New England Passenger Rail Authority**

**CARRIED OVER**

<u>Sponsor(s)</u>	<u>Committee Report</u>	<u>Amendments Adopted</u>
MOORE G SNOWE-MELLO		

This bill permits the operation of additional slot machines at a harness horse racing track in a municipality along the railroad line from Portland to the New Hampshire border overseen by the Northern New England Passenger Rail Authority or the railroad line from Portland through Westbrook, Gorham, Standish and Fryeburg to the New Hampshire border known as the Mountain Division rail line. The bill limits the location of the operation of these slot machines to one harness horse racing track and to within 200 feet of the outside edge of the racing oval at that harness horse racing track. A municipality must approve the operation of slot machines before slot machines authorized by this bill may be operated in that municipality.

An entity that operates an agricultural fair or a person licensed to operate a commercial track may apply to the Department of Public Safety, Gambling Control Board no later than December 31, 2009 for a license to operate slot machines authorized by this bill. The Gambling Control Board will choose one applicant to receive the license authorized by this bill. Slot machines authorized by this bill are subject to regulation and supervision by the Gambling Control Board.

The bill is subject to approval by the voters of this State at referendum.

The slot machine operator will be required to collect and distribute 1% of gross slot machine income for deposit in the General Fund. The slot machine operator will be required to collect and distribute 39% of the net slot machine income as follows:

1. Two percent for deposit in the General Fund for administrative expenses of the Gambling Control Board, including gambling addiction counseling services;
2. Ten percent to supplement harness racing purses;
3. Three percent for deposit in the Sire Stakes Fund;
4. Three percent for deposit in the Agricultural Fair Support Fund;
5. Five percent for the Town of Standish to establish a drinking water protection fund to protect the quality of the drinking water for communities served by the Portland Water District and to establish a recreational area on Sebago Lake in Standish;
6. One percent for scholarships for students at the University of Maine System;
7. One percent for scholarships for students at the Maine Community College System;
8. Ten percent for the Mountain Division Rail Line Authority, which is established in this bill and may issue bonds, to fund the acquisition, financing, construction, operation, improvement and repair of a railroad line from Portland through Westbrook, Gorham, Standish and Fryeburg to the New Hampshire border;