

MAINE STATE LEGISLATURE

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STATE OF MAINE
127TH LEGISLATURE
SECOND REGULAR SESSION



Summaries of bills, adopted amendments and laws enacted or finally passed

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

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STATE OF MAINE

127TH LEGISLATURE

SECOND REGULAR SESSION



LEGISLATIVE DIGEST OF BILL SUMMARIES AND ENACTED LAWS

This *Legislative Digest of Bill Summaries and Enacted Laws* contains summaries of all LDs and adopted amendments and all laws enacted or finally passed during the Second Regular Session of the 127th Maine Legislature.

The *Digest* is arranged alphabetically by committee and within each committee by Legislative Document (LD) number. The committee report(s), prime sponsor and lead co-sponsor(s), if designated, are listed below each LD title. All adopted amendments are summarized and listed by paper number. A subject index is included with each committee. An appendix provides a summary of relevant session statistics.

Final action on each LD is noted to the right of the LD title. The following describes the various final actions.

CARRIED OVER..... carried over to a subsequent session of the Legislature
CON RES XXX..... chapter # of constitutional resolution passed by both houses
CONF CMTE UNABLE TO AGREE..... Committee of Conference unable to agree; legislation died
DIED BETWEEN HOUSES..... House & Senate disagreed; legislation died
DIED IN CONCURRENCE..... defeated in each house, but on different motions; legislation died
DIED ON ADJOURNMENT..... action incomplete when session ended; legislation died
EMERGENCY..... enacted law takes effect sooner than 90 days after session adjournment
FAILED, EMERGENCY ENACTMENT or PASSAGE..... emergency failed to receive required 2/3 vote
FAILED, ENACTMENT or FINAL PASSAGE..... failed to receive final majority vote
FAILED, MANDATE ENACTMENT..... legislation proposing local mandate failed required 2/3 vote
HELD BY GOVERNOR..... Governor has not signed; final disposition to be determined at subsequent session
LEAVE TO WITHDRAW..... sponsor's request to withdraw legislation granted
NOT PROPERLY BEFORE THE BODY..... ruled out of order by the presiding officer; legislation died
INDEF PP..... indefinitely postponed; legislation died
ONTP, ACCEPTED, MAJORITY, MINORITY or REPORT X... ought-not-to-pass report accepted; legislation died
P&S XXX..... chapter # of enacted private & special law
PUBLIC XXX..... chapter # of enacted public law
RESOLVE XXX..... chapter # of finally passed resolve
VETO SUSTAINED..... Legislature failed to override Governor's veto

The effective date for non-emergency legislation enacted in the First Regular Session of the 127th Legislature is July 29, 2016. The effective date for legislation enacted as an emergency measure may be found in the enacted law summary for that legislation.

Joint Standing Committee on Veterans and Legal Affairs

This amendment replaces the bill and changes the title. The amendment provides a definition of "sales representative" as it applies to licensed wholesalers. It clarifies that the provision in current law that requires liquor sales representatives to be licensed by the Department of Administrative and Financial Services, Bureau of Alcoholic Beverages and Lottery Operations applies to sales representatives employed by licensed wholesalers.

Enacted Law Summary

Public Law 2015, chapter 387 provides a definition of "sales representative" as it applies to licensed wholesalers. And clarifies a provision in current law that requires liquor sales representatives employed by wholesalers to be licensed by the Department of Administrative and Financial Services, Bureau of Alcoholic Beverages and Lottery Operations.

LD 1467 An Act Regarding Maine Spirits

**PUBLIC 430
EMERGENCY**

<u>Sponsor(s)</u>	<u>Committee Report</u>	<u>Amendments Adopted</u>
COLLINS R KINNEY J	OTP-AM	S-394

Under current law, on-premises retailers are required to report their liquor purchases from reselling agents to the Department of Administrative and Financial Services, Bureau of Alcoholic Beverages and Lottery Operations. This bill instead requires reselling agents to report sales of spirits to on-premises retail licensees. This bill further provides that sales of spirits to on-premises retail licensees reported to the bureau from reselling agents are not confidential except for the names of the reselling agents.

Committee Amendment "A" (S-394)

This amendment replaces the bill. As in the bill, the amendment establishes a requirement that reselling agents report sales of spirits made to establishments licensed to sell spirits for on-premises consumption. Under the amendment, spirits sales data is required to be reported monthly beginning October 15, 2016. The amendment repeals the requirement in current law that on-premises licensees report retail spirits sales data to the bureau. It amends the section of law that governs the responsibilities of the Director of the Bureau of Alcoholic Beverages and Lottery Operations within the Department of Administrative and Financial Services to include a requirement that the director implement a spirits sales reporting system. The reporting system is facilitated by a trade association representing states that control the sale and distribution of spirits.

The amendment directs the bureau to adopt rules to help mitigate the costs incurred by those reselling agents licensed and selling spirits to on-premises licensees as of July 1, 2016.

Enacted Law Summary

Public Law 2015, chapter 430 establishes a requirement that reselling agents report sales of spirits made to establishments licensed to sell spirits for on-premises consumption. It amends the section of law that governs the responsibilities of the Director of the Bureau of Alcoholic Beverages and Lottery Operations within the Department of Administrative and Financial Services to include a requirement that the director implement a spirits sales reporting system. The reporting system is facilitated by a trade association representing states that control the sale and distribution of spirits. The spirits sales data is required to be reported monthly beginning October 15, 2016.

Chapter 430 repeals the requirement in current law that on-premises licensees report retail spirits sales data to the bureau.

This law also requires the bureau to adopt rules to help mitigate the costs incurred by those reselling agents licensed and selling spirits to on-premises licensees as of July 1, 2016.

Joint Standing Committee on Veterans and Legal Affairs

Public Law 2015, chapter 430 was enacted as an emergency measure effective April 5, 2016.

LD 1484 An Act Regarding the Election Laws

**PUBLIC 447
EMERGENCY**

<u>Sponsor(s)</u>	<u>Committee Report</u>	<u>Amendments Adopted</u>
CYRWAY S LUCHINI L	OTP-AM	S-350 S-359 CYRWAY S

This bill makes the following changes to the election laws.

1. It adds a restriction that a registrar may not serve during an election when an immediate family member of the registrar is a candidate for federal office and clarifies the language regarding compensation. The current restriction applies only to candidates for state, local or county offices.
2. It removes provisions regarding the use of a supplemental incoming voting list.
3. It clarifies the requirements for how a voter's name and prior voting residence address must be provided on a voter registration application.
4. It updates the list of the outside agencies that must provide voter registration pursuant to the National Voter Registration Act of 1993.
5. It clarifies that an individual or organization is entitled to obtain voter registration data if that individual or organization is engaged in a "get out the vote" effort for a specific campaign.
6. It provides that when there is no candidate for a primary election office who has qualified by primary petition or as a declared write-in candidate, the Secretary of State is not required to list that office on the primary ballot.
7. It provides that the written acceptance for a replacement candidate must include a place for the registrar in the candidate's municipality of residence to certify the candidate's registration and enrollment status.
8. It changes the deadline for a candidate to withdraw and be replaced from 60 days to 70 days before the primary or general election.
9. It clarifies that a candidate may withdraw and be replaced if the candidate is incapacitated by a condition or injury and requires a certificate signed by a single licensed physician to accompany the withdrawal request. Current law provides only for incapacitation due to an illness and requires a certificate signed by two licensed physicians.
10. It changes the deadline for a nonparty candidate for Vice President to withdraw and be replaced from 60 days to 70 days before the general election.
11. It provides that if a candidate or nominee for a federal or gubernatorial office withdraws less than 70 days before any election, the Secretary of State is not required to produce new ballots.
12. It adds the restriction that a municipal clerk may not serve as the supervisor of an election when a member of the municipal clerk's immediate family is a candidate for federal, state, county or local office.
13. It changes from 30 to 60 days prior to an election the date by which the municipal clerk must file a report that includes the voting place location, the poll opening time and the number of voting booths to be used.
14. It clarifies the voting procedure by combining the steps of checking voter names on the incoming voting list and