

MAINE STATE LEGISLATURE

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STATE OF MAINE
125TH LEGISLATURE
FIRST REGULAR SESSION



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

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

July 2011

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COLLEEN MCCARTHY REID, LEGISLATIVE ANALYST
OFFICE OF POLICY AND LEGAL ANALYSIS
13 STATE HOUSE STATION
AUGUSTA, ME 04333
(207) 287-1670

STATE OF MAINE
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LEGISLATIVE DIGEST OF BILL SUMMARIES AND
ENACTED LAWS

This *Legislative Digest of Bill Summaries and Enacted Laws* summarizes all LDs and adopted amendments and all laws enacted or finally passed during the First Regular Session of the 125th 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. 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 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 FINAL 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 125th Legislature is September 28, 2011. 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

window and directs the Department of Agriculture, Food and Rural Resources to work with the Department of Transportation and a statewide organization representing farm wineries to develop a uniform system of signage identifying the locations of farm wineries.

Committee Amendment "A" (S-23)

This amendment strikes the provision of the bill that allows farm wineries to sell wine at farmers' markets and the provision that allows for the development of a uniform system of signage for farm wineries. It also clarifies in which premises a farm winery may display wine in windows.

Enacted Law Summary

Public Law 2011, chapter 48 clarifies at which licensed premises a farm winery may place wine on display in windows.

LD 227 An Act Relating to the Establishment of Casinos Carried Over

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

This bill authorizes the establishment of three casinos in the State subject to a competitive bidding process. A successful bidder would win the right to enter into a contract with the State to operate a casino for up to 20 years. A successful bidder is subject to a privilege fee of \$5,000,000 to operate a casino. An existing slot machine operator would also be authorized to enter into a contract with the State to operate a casino at the existing slot machine facility without being subject to the competitive bidding process. The privilege fee for a casino that was an existing slot machine facility is \$3,000,000. As determined by a contract with the State, the state share of net gaming revenue from the casinos would be divided equally among three funds that reimburse municipalities for education, veterans property tax exemptions and homestead property tax exemptions.

This bill was carried over to any special and/or regular session of the 125th Legislature by joint order, H.P. 1190.

LD 231 Resolve, Directing the Commission on Governmental Ethics and Election Practices To Adopt Routine Technical Rules Governing the Maine Clean Election Act and Equipment Repurchase RESOLVE 19

<u>Sponsor(s)</u>	<u>Committee Report</u>	<u>Amendments Adopted</u>
WILLETTE A MASON	OTP-AM	H-39

Under rules adopted by the Commission on Governmental Ethics and Election Practices, a candidate who receives Maine Clean Election Act funds and sells property purchased using those funds to the candidate or a family member or staff member must receive at least 40% of the original purchase price for that property. Property that is sold to someone other than the candidate or a family member or staff member must be sold at fair market value. This bill specifies that the amount received from the candidate or a family member or staff member for the purchase of such property must be at least 75% of the original purchase price.

Joint Standing Committee on Veterans and Legal Affairs

Committee Amendment "A" (H-39)

This amendment strikes the bill and replaces it with a resolve directing the Commission on Governmental Ethics and Election Practices to adopt routine technical rules that require equipment purchased using Maine Clean Election Act funds to be sold for at least 75% of the original purchase price if that equipment is sold to the candidate or to a member of the candidate's immediate family or campaign staff. Current rules require that the item be sold for at least 40% of the purchase price.

Enacted Law Summary

Resolve 2011, chapter 19 directs the Commission on Governmental Ethics and Election Practices to adopt routine technical rules that require equipment purchased using Maine Clean Election Act funds to be sold for at least 75% of the original purchase price if that equipment is sold to the candidate or to a member of the candidate's immediate family or campaign staff. Current rules require that the item be sold for at least 40% of the purchase price.

LD 277 An Act To Make Disputed Ballots in State Elections Public

PUBLIC 258

<u>Sponsor(s)</u>	<u>Committee Report</u>	<u>Amendments Adopted</u>
FOSEL RECTOR	OTP-AM	H-178

This bill requires the Secretary of State to make available for public inspection a disputed ballot arising from an election recount and specifies that the manner of making an absentee ballot available for public inspection must preserve the voter's anonymity.

Committee Amendment "A" (H-178)

This amendment specifies that the Secretary of State is required to make available for public inspection only copies of unresolved disputed ballots rather than the actual ballots. It also limits this public inspection of copies of disputed ballots to elections for the State House of Representatives and the State Senate. The amendment also specifies that the Secretary of State must retain these copies for two years.

Enacted Law Summary

Public Law 2011, chapter 258 requires the Secretary of State to make available for public inspection, copies of unresolved disputed ballots. This requirement applies to the public inspection of copies of disputed ballots to elections for the State House of Representatives and the State Senate. The law also specifies that the Secretary of State must retain these copies for two years.

LD 285 An Act Regarding the Qualifications of Candidates for Office

PUBLIC 239

<u>Sponsor(s)</u>	<u>Committee Report</u>	<u>Amendments Adopted</u>
NASS HASTINGS	OTP-AM	H-341

This bill requires the Secretary of State to certify that candidates for legislative office meet the age and residency requirements contained in the Constitution of Maine.