

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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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

LD 545 An Act To Improve Ballot Access for Gubernatorial Candidates

**MINORITY
(ONTP) REPORT**

<u>Sponsor(s)</u>	<u>Committee Report</u>	<u>Amendments Adopted</u>
CHIPMAN	OTP-AM MAJ ONTP MIN	

This bill provides that a candidate for Governor may satisfy the primary petition requirements by acquiring the signatures of 2% of the total number of members enrolled in the candidate's political party.

LD 561 An Act To Clarify Certain Provisions in the Harness Racing Laws

**PUBLIC 142
EMERGENCY**

<u>Sponsor(s)</u>	<u>Committee Report</u>	<u>Amendments Adopted</u>
SHERMAN	OTP-AM MAJ ONTP MIN	S-73

This bill amends the harness racing laws to clarify that slot machine facilities satisfy the qualifications necessary for simulcast races.

Committee Amendment "A" (S-73)

This amendment adds an emergency preamble and emergency clause to the bill.

Enacted Law Summary

Public Law 2011, chapter 142 provides that a slot machine facility operated by a commercial track is authorized to accept wagers on simulcast harness horse races.

This law was passed as an emergency measure effective May 25, 2011.

**LD 633 An Act To Update Department of Defense, Veterans and Emergency
Management Laws**

PUBLIC 112

<u>Sponsor(s)</u>	<u>Committee Report</u>	<u>Amendments Adopted</u>
CROCKETT SAVIELLO	OTP-AM	H-120

Currently the Adjutant General and assistant adjutant general must have attained the federally recognized rank of Colonel in the Maine National Guard. This bill requires that the Adjutant General and assistant adjutant general also meet the criteria for federal recognition as a General Officer as prescribed by federal regulation, 10 United States Code, Section 3282. In addition, this bill designates the Maine Municipal Bond Bank as a potential administrative partner in the Dam Repair and Reconstruction Fund in place of the Finance Authority of Maine. It also aligns the definition of "municipality" in the laws governing the fund with the definition set out under the Maine Municipal Bond Bank authorizing statutes, and explicitly allows quasi-municipal corporations and districts to apply for loans

Joint Standing Committee on Veterans and Legal Affairs

from the fund.

Committee Amendment "A" (H-120)

This amendment strikes a reference to the United States Code regarding the requirement that a person appointed Adjutant General or assistant adjutant general meet the criteria for federal recognition as a General Officer. The amendment states that the appointee must meet the criteria for federal recognition as a General Officer for either the United States Army National Guard or the United States Air National Guard. It also authorizes the Adjutant General to establish a National Guard Youth Challenge Program.

Enacted Law Summary

Public Law 2011, chapter 112 changes existing statute which states that the Adjutant General and assistant adjutant general must have attained the federally recognized rank of Colonel in the Maine National Guard. Chapter 112 states that the appointee must meet the criteria for federal recognition as a General Officer for either the United States Army National Guard or the United States Air National Guard. In addition, this law designates the Maine Municipal Bond Bank as a potential administrative partner in the Dam Repair and Reconstruction Fund in place of the Finance Authority of Maine. It also aligns the definition of "municipality" in the laws governing the fund with the definition set out under the Maine Municipal Bond Bank authorizing statutes, and explicitly allows quasi-municipal corporations and districts to apply for loans from the fund. Finally, this law authorizes the Adjutant General to establish a National Guard Youth Challenge Program.

LD 643 An Act To Protect Public Safety in the Operation of Casinos

HELD BY GOVERNOR

<u>Sponsor(s)</u>	<u>Committee Report</u>	<u>Amendments Adopted</u>
CAREY	OTP-AM	H-547 S-368 ROSEN R

This bill is a concept draft pursuant to Joint Rule 208. It proposes to amend the laws governing the oversight of the casino eligible to be licensed in Oxford County that are determined to be incomplete or inconsistent with existing laws and rules in other states that authorize the operation of casino gambling.

Committee Amendment "A" (H-547)

This amendment replaces the bill, which was a concept draft. The amendment includes an emergency preamble and clause. The amendment requires the Department of Public Safety, Gambling Control Board to adopt emergency major substantive rules governing the oversight of the operation of table games at a casino. The rules must ensure that bets on table games are not made with cash and that the exchange of cash for chips, tokens or other items of value is done in a manner that can provide a thorough audit. The amendment requires the board to report on the process for developing rules that govern the rules of play for table games. The amendment changes current law to provide that license and application fees collected by the board go to a dedicated account for the administration of the board rather than to the General Fund.

Senate Amendment "A" To Committee Amendment "A" (S-368)

Committee Amendment "A" requires fees collected from slot machine operators and casinos to be deposited in the Administrative Expenses Other Special Revenue Funds account within the Department of Public Safety, Gambling Control Board instead of in the General Fund. This amendment exempts the fees associated with a casino located in Oxford County and a slot machine facility licensed as such as of January 1, 2011 from that requirement for fiscal years 2011-12 and 2012-13 only and requires those fees from that casino and that slot machine facility to be