

# MAINE STATE LEGISLATURE

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**STATE OF MAINE**  
125<sup>TH</sup> 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 125<sup>th</sup> 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 125<sup>th</sup> 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*

This bill provides that, if a state legislative district consists of more than one town, a person who resides in a town in that state legislative district that does not hold a caucus after the death, withdrawal or disqualification of a candidate may vote at a caucus held by another town in that state legislative district if the person is eligible to vote in a primary election in that person's town. The bill also requires the chair of each political party to determine where a caucus is to be held.

**Committee Amendment "A" (H-508)**

This amendment replaces the bill. It provides that when a political committee holds a meeting to fill a vacancy for a candidacy or seat for a State Senator or Representative in a legislative district containing 10 or more municipalities, the political committee must permit anyone enrolled in the party to vote to nominate or elect a person to fill the vacancy. It also provides that the failure of a municipality in that district to hold a biennial municipal caucus does not prohibit voters in that municipality from participating in or voting at the meeting to fill a vacancy.

**House Amendment "B" To Committee Amendment "A" (H-654)**

This amendment allows a municipality that has not held a biennial caucus, following the proclamation of the Governor declaring a vacancy in the House of Representatives for that municipality, to hold a caucus within 15 days of the Governor's proclamation to choose a nominee to fill the vacancy. This amendment also specifies that the Governor must allow the political committee at least 15 days to choose a nominee for the vacant seat.

**Enacted Law Summary**

Public Law 2011, chapter 409 allows a municipality that has not held a biennial caucus, following the proclamation of the Governor declaring a vacancy in the House of Representatives for that municipality, to hold a caucus within 15 days of the Governor's proclamation to choose a nominee to fill the vacancy. Chapter 409 also specifies that the Governor must allow the political committee at least 15 days to choose a nominee for the vacant seat.

**LD 1513**

**An Act To Clarify the Maine State Lottery Agent Licensing Process**

**PUBLIC 310**

<u>Sponsor(s)</u>	<u>Committee Report</u>	<u>Amendments Adopted</u>
CAREY	OTP-AM	H-481

This bill makes the following changes to the law regarding the operations of lotteries.

1. It amends the definition of "person" to include other forms of businesses.
2. It clarifies the rule-making authority of the State Liquor and Lottery Commission relating to license issuance, denial, suspension and revocation.
3. It clarifies that the Director of the Bureau of Alcoholic Beverages and Lottery Operations within the Department of Administrative and Financial Services or the director's designee has the authority to deny, suspend or revoke a license to sell lottery tickets or shares.
4. It clarifies that the appeal of a decision to deny, suspend or revoke a license may be made to the commission.

**Committee Amendment "A" (H-481)**

This amendment makes technical clarifications regarding the authority of the State Liquor and Lottery Commission and the Director of Alcoholic Beverages and Lottery Operations within the Department of Administrative and Financial Services to administer all of the forms of lottery games under the commission's jurisdiction. The

*Joint Standing Committee on Veterans and Legal Affairs*

amendment also strikes a provision of the bill that removes the requirement that lottery license suspension or revocation appeals be conducted in accordance with the Maine Administrative Procedure Act.

**Enacted Law Summary**

Public Law 2011, chapter 310 amends the definition of "person" to include other forms of businesses and clarifies the rule-making authority of the State Liquor and Lottery Commission relating to license issuance, denial, suspension and revocation. This law also provides that the Director of the Bureau of Alcoholic Beverages and Lottery Operations within the Department of Administrative and Financial Services or the director's designee has the authority to deny, suspend or revoke a license to sell lottery tickets or shares.

**LD 1523      An Act To Improve the Maine Clean Election Act      Carried Over**

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

This bill amends the Maine Clean Election Act by replacing the seed money provisions with provisions for allowable contributions, which are contributions of no more than \$100 from an individual. The bill allows participating and certified candidates to raise allowable contributions, sets limits and other requirements on allowable contributions and provides for matching funds for allowable contributions in the amount of \$3 for every \$1 of allowable contributions.

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

**LD 1526      An Act Regarding Corporate and Other Entity Campaign Advertising      MINORITY  
Disclosure and Accountability      (ONTP) REPORT**

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

This bill requires corporations or groups, including political action committees and unions, that make expenditures or contributions for political communications to get approval from the majority of the corporation's shareholders or, for other groups, approval for contributions and expenditures from a majority of its membership. It provides for specific disclosures by corporations or groups that make political communications. The bill establishes liability for a corporation or group if it violates the disclosure and reporting requirements. It also provides for a shareholder of the corporation or member of the group to seek compensatory and punitive damages from the directors of the corporation or group.