

MAINE STATE LEGISLATURE

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STATE OF MAINE
125TH LEGISLATURE
SECOND REGULAR SESSION



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

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

June 2012

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

STATE OF MAINE

125TH LEGISLATURE
SECOND REGULAR SESSION



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 Second 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.

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

The effective date for non-emergency legislation enacted in the Second Regular Session of the 125th Legislature is Thursday, August 30, 2012. 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

as long as there is no cost to the State.

Committee Amendment "A" (S-430)

This amendment strikes a provision in the bill that authorizes the Director of the Bureau of Maine Veterans' Services within the Department of Defense, Veterans and Emergency Management to enter into an agreement with a health care provider to assist the director in obtaining benefits for veterans. The amendment directs the Bureau of Maine Veterans' Services and the Office for Family Independence within the Department of Health and Human Services to submit a report to the Joint Standing Committee of the Legislature having jurisdiction over veterans matters and the Joint Standing Committee of the Legislature having jurisdiction over health and human services matters on their ongoing efforts to identify veterans who have received or are receiving Medicaid benefits in order to determine if a veteran is eligible for federally funded benefits from the United States Department of Veterans Affairs. The Joint Standing Committee of the Legislature having jurisdiction over veterans matters may report out a bill to the First Regular Session of the 126th Legislature.

Enacted Law Summary

Public Law 2011, chapter 539 specifies that interment of a veteran or a dependent of a veteran in the Maine Veterans' Memorial Cemetery System is permanent but gives the director the discretion to allow disinterment as long as there is no cost to the State. The law also directs the Bureau of Maine Veterans' Services and the Office for Family Independence within the Department of Health and Human Services to submit a report to the Joint Standing Committee of the Legislature having jurisdiction over veterans matters and the Joint Standing Committee of the Legislature having jurisdiction over health and human services matters on their ongoing efforts to identify veterans who have received or are receiving Medicaid benefits in order to determine if a veteran is eligible for federally funded benefits from the United States Department of Veterans Affairs. Under this law, the joint standing committee of the Legislature having jurisdiction over veterans matters is authorized to report out a bill to the First Regular Session of the 126th Legislature.

LD 1771 An Act To Amend Maine's Gambling Laws

PUBLIC 585

<u>Sponsor(s)</u>	<u>Committee Report</u>	<u>Amendments Adopted</u>
FARNHAM	OTP-AM	S-491

This bill makes the following changes to the laws governing gambling.

1. It permits licensed slot machine distributors to also distribute table games.
2. It creates the Class C criminal offense of theft at or from a casino or slot machine facility.
3. It clarifies that accredited postsecondary institutions may possess and operate slot machines and table games for training and educational purposes.

Committee Amendment "A" (S-491)

This amendment specifies that a training program for the operation of slot machines and table games at an accredited postsecondary institution is subject to criteria established by the Department of Public Safety, Gambling Control Board and that wagers used as part of the training program are for demonstration purposes only. The amendment clarifies a provision in the bill that permits a licensed slot machine distributor to also be licensed as a table game distributor by addressing a conflict in current law and by adding that a licensed table game distributor may also be licensed as a slot machine distributor. To hold both a slot machine distributor license and a table game distributor license, a person is required to apply for and pay the license fee for each license as is required by current law. The

Joint Standing Committee on Veterans and Legal Affairs

amendment provides that table games and slot machines used for training programs are not subject to registration fees. The amendment strikes the provision of the bill that adds theft at or from a casino or slot machine facility to the list of violations of the laws governing the operation of slot machines and table games that are Class C crimes. The amendment establishes a new category of theft in the Maine Criminal Code, theft at a casino or slot machine facility. This provision in the amendment coincides with existing rules that allow for a slot machine facility operator or casino operator to exclude a person from the facility who commits theft at a casino or slot machine facility.

Enacted Law Summary

Public Law 2011, chapter 585 allows for the use of slot machines and table games at accredited postsecondary institutions when part of a training program approved by the Gambling Control Board. Machines used for this purpose are registered with the board but not subject to the \$100 registration fee required of slot machines and table games operated at a casino. It provides that a slot machine distributor may also be licensed as a table game distributor subject to the existing fees and licensing requirements in current law. Current Gambling Control Board rules allow for certain people to be excluded from a casino or slot machine facility if they have committed certain violations or crimes. Chapter 585 creates a specific category for theft by unauthorized taking or transfer when it occurs at a casino or slot machine facility. This category of theft is included among the crimes for which the Gambling Control Board can exclude persons from a casino or slot machine facility in accordance with its rules.

LD 1774 An Act Regarding the Matching Funds Provisions of the Maine Clean Election Act PUBLIC 558

<u>Sponsor(s)</u>	<u>Committee Report</u>	<u>Amendments Adopted</u>
	OTP MAJ OTP-AM MIN	H-780 BEAULIEU

This bill is the majority report of the Joint Standing Committee on Veterans and Legal Affairs pursuant to Resolve 2011, chapter 103, section 2. It strikes provisions governing and references to matching funds within the Maine Clean Election Act in response to the 2011 ruling of the United States Supreme Court in *Arizona Free Enterprise Club's Freedom Club PAC v. Bennett*, 131 S. Ct. 2806 (2011). The bill also repeals candidate and independent expenditure reporting requirements directly related to the matching funds provisions. The bill includes an appropriations and allocations section.

House Amendment "C" (H-780)

This amendment strikes and replaces the appropriations and allocations section in the bill and also removes the emergency preamble and the emergency clause from the bill.

Enacted Law Summary

Public Law 2011, chapter 558 strikes provisions of the Maine Clean Election Act that established or referred to the part of the program that provide matching funds for candidates participating in the campaign financing program.

LD 1806 An Act To Promote Transparency in Government PUBLIC 634

<u>Sponsor(s)</u>	<u>Committee Report</u>	<u>Amendments Adopted</u>
RAYE	OTP-AM MAJ OTP-AM MIN	H-935 CROCKETT S-523