

MAINE STATE LEGISLATURE

The following document is provided by the
LAW AND LEGISLATIVE DIGITAL LIBRARY
at the Maine State Law and Legislative Reference Library
<http://legislature.maine.gov/lawlib>



Reproduced from electronic originals
(may include minor formatting differences from printed original)

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

MEMBERS:

SEN. NICH S. FARNHAM, CHAIR
SEN. DEBRA D. PLOWMAN
SEN. JOHN L. PATRICK

REP. MICHAEL G. BEAULIEU, CHAIR
REP. JARROD S. CROCKETT
REP. MICHAEL J. WILLETTE
REP. DOUGLAS K. DAMON
REP. DAVID D. JOHNSON
REP. MICHAEL E. CAREY
REP. LINDA M. VALENTINO
REP. DIANE RUSSELL
REP. THOMAS R. W. LONGSTAFF
REP. BENJAMIN M. CHIPMAN
REP. WAYNE T. MITCHELL

STAFF:

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

reportable liabilities since the last disclosure form. The amendment states that the 30-day change report applies to Legislators, executive employees and their immediate families, excluding dependent children.

House Amendment "A" To Committee Amendment "A" (H-935)

This amendment requires the Commission on Governmental Ethics and Election Practices to adopt rules to exclude an estranged spouse or domestic partner from the income reporting requirements for immediate family members of Legislators and executive employees.

Enacted Law Summary

Public Law 2011, chapter 634 makes several changes to the laws that require legislators and certain executive employees to disclose sources of income, interests and liabilities. The law increases the threshold amount that triggers disclosure of income from \$1,000 to \$2,000. It clarifies the definition of income to mean gross income and to exclude certain things like alimony and child support payments. It specifies that when reporting the source of the income for a legislator, employee or immediate family member, the disclosure must state the position held by the person and the type of economic activity that resulted in the income. It adds a requirement that disclosure reports must be filed within 45 days of leaving legislative service or employment with the executive branch. It clarifies the requirement to disclose when a legislator, an executive employee or members of their immediate family are paid for goods and services provided to a state agency and increases that reporting threshold from \$1,000 to \$10,000. Chapter 634 also requires that a legislator or executive employee disclose when they are a key decision maker with a political action committee or ballot question committee. It adds a requirement to disclose income of \$2,000 or more by a limited liability company, partnership or other business in which a legislator, executive employee or their family members have at least 50% interest in, even if no income was received by that person during the reporting period. Chapter 634 also makes non-substantive changes to laws governing disclosures by legislators and executive employees to provide consistency between the disclosure provisions and to clarify existing law.

LD 1828 An Act To Protect Public Safety in the Operation of Casinos

**DIED ON
ADJOURNMENT**

| <u>Sponsor(s)</u> | <u>Committee Report</u> | <u>Amendments Adopted</u> |
|-------------------|-------------------------|---------------------------|
| FARNHAM | OTP-AM | S-431 |

This bill appropriates funds to establish 10 new positions in the Department of Public Safety and provides funding for licensing and monitoring software for the Gambling Control Board to regulate gambling in the State. The provisions of this bill were incorporated into the supplemental budget bill, LD 1746 which was enacted to become Public Law 2011, chapter 657.

Committee Amendment "A" (S-431)

This amendment incorporates a fiscal note.

LD 1871 Resolve, Creating an Honorable Service Plaque To Honor Maine Veterans

RESOLVE 163

| <u>Sponsor(s)</u> | <u>Committee Report</u> | <u>Amendments Adopted</u> |
|-------------------|-------------------------|---------------------------|
| COTTA SAVIELLO | OTP-AM | H-853 |

Joint Standing Committee on Veterans and Legal Affairs

The resolve directs the Director of the Bureau of Veterans' Services within the Department of Defense, Veterans and Emergency Management to create a plaque for display in the Hall of Flags in the State House honoring veterans not otherwise honored by existing plaques. It authorizes the bureau to accept private funds for the creation and installation of the plaque.

Committee Amendment "A" (H-853)

This amendment strikes the provision that allocates \$500 of Other Special Revenue Funds to the State House and Capitol Park Commission and replaces it with a provision that transfers \$13,000 from the Veterans Services program, General Fund account within the Department of Defense, Veterans and Emergency Management to contract for the design and construction of a plaque to honor veterans of the State.

Enacted Law Summary

Resolve 2011, chapter 163 directs the Director of the Bureau of Veterans' Services within the Department of Defense, Veterans and Emergency Management to create a plaque for display in the Hall of Flags in the State House honoring veterans not otherwise honored by existing plaques. It authorizes the bureau to accept private funds for the creation and installation of the plaque. Chapter 163 transfers \$13,000 from the Veterans Services program, General Fund account within the Department of Defense, Veterans and Emergency Management to the State House and Capitol Park Commission to contract for the design and construction of a plaque to honor veterans of the State.

LD 1879 An Act To Treat Party Formation Committees the Same as Ballot Question Committees for Purposes of the Campaign Finance Laws ONTP

| <u>Sponsor(s)</u> | <u>Committee Report</u> | <u>Amendments Adopted</u> |
|-------------------|-------------------------|---------------------------|
| FOSEL KATZ | ONTP | |

This bill requires a group that receives or spends more than \$2,500 to form a new political party to be treated in the same manner as a ballot question committee for purposes of the campaign finance laws.

LD 1880 An Act To Ensure the State's Authority over the Operation of Gambling Activities PUBLIC 630 EMERGENCY

| <u>Sponsor(s)</u> | <u>Committee Report</u> | <u>Amendments Adopted</u> |
|-------------------|-------------------------|---------------------------|
| PLOWMAN | OTP-AM | S-507 |

This bill allows the State to engage in sales of lottery tickets over the Internet, beginning no sooner than September 1, 2013. Prior to that date, the Director of Alcoholic Beverages and Lottery Operations is required to develop a proposal for a system that will allow the sale of lottery tickets from a publicly accessible website administered by the Department of Administrative and Financial Services, Bureau of Alcoholic Beverages and Lottery Operations.

Committee Amendment "A" (S-507)

This amendment replaces the bill. The amendment establishes a definition of "agent" as it pertains to those businesses licensed to sell lottery tickets on behalf of the State. The amendment provides that a gambling activity not expressly authorized by Maine law does not cease to be unlawful solely because it is authorized under federal law or the laws of another state or jurisdiction.