

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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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

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>
FOSSEL 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.

Joint Standing Committee on Veterans and Legal Affairs

Enacted Law Summary

Public Law 2011, chapter 630 establishes a definition of "agent" as it pertains to those businesses licensed to sell lottery tickets on behalf of the State. It also 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.

Public Law 2011, chapter 630 was enacted as an emergency measure effective April 12, 2012.

**LD 1882 Resolve, Directing the Committee on Veterans and Legal Affairs To
Develop Legislation Establishing a Presidential Primary**

RESOLVE 164

<u>Sponsor(s)</u>	<u>Committee Report</u>	<u>Amendments Adopted</u>
RAYE	OTP-AM MAJ ONTP MIN	S-517

This bill amends the presidential nomination process in the State. The bill provides that, whenever the state committee of a party certifies that there is a contest among candidates for nomination as the presidential candidate of the party and that the committee has voted to conduct a presidential primary election, the State shall hold a presidential primary election. Under the bill, only voters who are enrolled in the party may vote in that party's presidential primary election. Under the bill, delegates to the national convention must be allocated in proportion with the candidate votes and the uncommitted votes cast in the presidential primary election of the party.

Committee Amendment "A" (S-517)

This amendment replaces the bill with a resolve that directs the Joint Standing Committee on Veterans and Legal Affairs to meet and develop legislation to be considered by the First Regular Session of the 126th Legislature that establishes a presidential primary.

Enacted Law Summary

Resolve 2011, chapter 164 directs the Joint Standing Committee on Veterans and Legal Affairs to meet and develop legislation to be considered by the First Regular Session of the 126th Legislature that establishes a presidential primary.

LD 1889 An Act To Amend the Liquor Laws of the State

PUBLIC 629

<u>Sponsor(s)</u>	<u>Committee Report</u>	<u>Amendments Adopted</u>
FARNHAM	OTP-AM	S-532

This bill provides for administrative streamlining in the processing of liquor licenses. The bill amends provisions related to manufacturer licenses to provide for greater consistency with regard to taste testing and the provision of samples and other regulatory requirements. The bill changes from 6% to 8% the maximum volume of alcohol for a product to be considered a low-alcohol spirits product. It clarifies the definition of "incorporated civic organization" and expands donation allowances to permit donations to incorporated civic organizations issued a license for an on-premises event open to the public. The bill also repeals obsolete provisions.

Committee Amendment "A" (S-532)