

MAINE STATE LEGISLATURE

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STATE OF MAINE
126TH LEGISLATURE
FIRST REGULAR SESSION



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

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

July 2013

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STATE OF MAINE

126TH LEGISLATURE
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LEGISLATIVE DIGEST OF BILL SUMMARIES AND ENACTED LAWS

This *Legislative Digest of Bill Summaries and Enacted Laws* contains summaries of all LDs and adopted amendments and all laws enacted or finally passed during the First Regular Session of the 126th 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 126th Legislature is October 9, 2013. 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 216 An Act To Extend the Hours for the Sale of Liquor on Sunday When St. Patrick's Day Is on a Sunday

**PUBLIC 2
EMERGENCY**

<u>Sponsor(s)</u>	<u>Committee Report</u>	<u>Amendments Adopted</u>
HOBBINS CRAVEN	OTP	

Current law prohibits the sale of liquor on Sunday between the hours of 6 a.m. and 9 a.m.

This bill provides that this prohibition does not apply when St. Patrick's Day, March 17th, falls on a Sunday.

Enacted Law Summary

Public Law 2013, chapter 2 amends the law that prohibits the sale of liquor on Sunday between the hours of 6 a.m. and 9 a.m. by providing that this prohibition does not apply when St. Patrick's Day, March 17th, falls on a Sunday.

Public Law 2013, chapter 2 was enacted as an emergency measure effective March 15, 2013.

LD 227 An Act Concerning High-stakes Beano

CARRIED OVER

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

Current law allows the Penobscot Nation, the Houlton Band of Maliseet Indians and the Aroostook Band of Micmacs to operate high-stakes beano games no more than 27 weekends a year and the Passamaquoddy Tribe to operate high-stakes electronic beano games up to 100 times per year. This bill eliminates those restrictions. The bill also allows the Penobscot Nation, the Houlton Band of Maliseet Indians, the Aroostook Band of Micmacs and the Passamaquoddy Tribe to operate high-stakes electronic beano. Electronic beano simulates traditional beano and is played on individual electronic beano terminals connected to a central computer system that generates beano games. Individual electronic beano terminals may accept cash, tokens, cards or vouchers but may not dispense cash. A prize awarded for winning electronic beano must be in the form of a voucher that may be redeemed for cash or prizes.

This bill was carried over to any special or regular session of the 126th Legislature by joint order, H.P. 1145, as amended by H-B (H-580) and H-C (H-582).

LD 239 An Act To Improve the Return to the State on the Sale of Spirits and To Provide a Source of Payment for Maine's Hospitals

INDEF PP

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

Part A repeals the law privatizing the State's wholesale liquor business and the law requiring the Commissioner of Administrative and Financial Services to seek bids no later than June 20, 2013 for the renewal, replacement or continuation of the current contract regarding the privatization. Instead, this bill allows the commissioner to enter into an agreement for certain wholesale liquor activities. Part A also amends the criteria for obtaining a license as an agency liquor store to clarify that an applicant that was licensed in another state to sell malt liquor, wine or spirits at retail for off-premises consumption must have conducted that business without a violation of the laws

Joint Standing Committee on Veterans and Legal Affairs

governing the sale of alcoholic beverages in the state in which that applicant was licensed. Part A also repeals the provisions of law regarding wholesale liquor providers.

Part B authorizes the Treasurer of State, with the approval of the Governor, to issue liquor operation revenue bonds in an amount up to \$187,000,000. Part B establishes 2 funds, the Health Care Liability Retirement Fund and the Liquor Operation Revenue Fund. The Health Care Liability Retirement Fund is funded with the revenue from the sale of the bonds and used to pay debts owed by the State for services provided by health care providers prior to December 1, 2012; anything in excess of the amount owed is transferred to the Liquor Operation Revenue Fund. The Liquor Operation Revenue Fund is funded by revenue from the management of wholesale liquor activities; such revenue will be used to pay the principal and interest of the liquor operation revenue bonds as those amounts become due. During the repayment of bonds period, any excess revenue is transferred to the Department of Health and Human Services and the Department of Environmental Protection for revolving loan funds for drinking water systems and wastewater treatment and to the Department of Transportation for construction of highways and bridges. Following the retirement of bonds, excess revenue is also transferred to the Maine Budget Stabilization Fund. Part B also reiterates a provision contained in the Constitution of Maine that the proceeds from the sale of bonds authorized by the voters may not be used to meet current expenditures of the State.

LD 241 An Act To Amend Certain Laws Governing the Bureau of Maine Veterans' Services

PUBLIC 237

<u>Sponsor(s)</u>	<u>Committee Report</u>	<u>Amendments Adopted</u>
TUTTLE BEAULIEU	OTP-AM	S-181

This bill makes the following changes to the laws governing the Department of Defense, Veterans and Emergency Management, Bureau of Maine Veterans' Services.

1. It requires that, in order to be eligible for educational benefits provided to veterans and their dependents, a student must apply for a Federal Pell Grant.
2. It decreases from 75 years to 62 years the period of time that a certificate of release or discharge from active duty that is filed with a state, county or local government is kept confidential.

Committee Amendment "A" (S-181)

This amendment clarifies which United States Government records, held by the Department of Defense, Veterans and Emergency Management, Bureau of Maine Veterans' Services for safekeeping are considered confidential. It also provides that the confidentiality of these records applies only when they are classified as confidential by the United States Government.

Enacted Law Summary

Public Law 2013, chapter 237 makes changes to the laws governing the Department of Defense, Veterans and Emergency Management, Bureau of Maine Veterans' Services. First, it requires that, in order to be eligible for educational benefits provided to veterans and their dependents at state-sponsored post-secondary institutions in Maine, a student must apply for a Federal Pell Grant. Second, it amends current Maine law which requires that records held by the the bureau on behalf of the federal government regarding certificate of release or discharge from active duty be kept confidential for 75 years. Federal law only requires that those records be confidential for 62 years. Public Law 2013, chapter 237 makes the confidentiality periods the same, at 62 years. The law clarifies that the records to be kept confidential by the bureau are those designated as confidential by the federal government.