

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

FIRST REGULAR SESSION



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

Enacted Law Summary

Public Law 2013, chapter 165 amends the law which requires that an on-premises liquor licensee may not serve malt liquor from a tap unless the trade name or brand is clearly labeled on the tap handle. Chapter 165 establishes an alternative by providing that licensees who serve malt liquor from a tap may inform consumers about which product is being dispensed by displaying a list of all available malt liquors.

LD 343 Resolve, Regarding the Transfer of Responsibility for Veterans' Cemetery Maintenance ONTP

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

This resolve directs the Commissioner of Agriculture, Conservation and Forestry and the Director of the Bureau of Maine Veterans' Services within the Department of Defense, Veterans and Emergency Management to study the feasibility of transferring the responsibility of maintaining veterans' cemeteries to the Department of Agriculture, Conservation and Forestry, Division of Parks and Public Lands.

LD 344 An Act To Amend the Licensing Requirements for Beano Halls Leased by Veterans' Organizations ONTP

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

This bill exempts a veterans' organization that is licensed to conduct beano or bingo games from the requirement to get a beano hall permit if that veterans' organization wishes to lease its facility as a beano hall to an organization licensed to conduct beano or bingo games.

LD 349 An Act To Strengthen Maine's Ethics Laws and Improve Public Access to Information ONTP

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

This bill is a concept draft pursuant to Joint Rule 208.

This bill proposes to strengthen Maine's laws governing governmental ethics and to increase transparency and fairness by improving access by the public to information.

**LD 350 An Act To Amend the Laws Governing Gambling PUBLIC 212
EMERGENCY**

<u>Sponsor(s)</u>	<u>Committee Report</u>	<u>Amendments Adopted</u>
TUTTLE BEAULIEU	OTP-AM	S-142

Joint Standing Committee on Veterans and Legal Affairs

This bill makes the following changes to the gambling laws.

1. It changes definitions and other provisions of law in order to reflect the addition of casinos.
2. It amends the laws governing the establishment of a list of persons who are to be excluded from a slot machine facility or casino to require the forfeiture of money from the winnings of voluntarily excluded persons and the deposit of this money in the General Fund for gambling addiction services, and to require the protection of the information as confidential of those who voluntarily place themselves on the exclusion list.
3. It changes the way certain keys are handled within casinos.
4. It allows for temporary authorization to allow employees to work in positions for which a license is required during the licensing process.
5. It changes the laws governing when the Gambling Control Board within the Department of Public Safety may refuse to grant a license to a person based on a previous adverse action taken against that person.
6. It removes the requirement that all key executives be citizens or permanent residents of the United States.
7. It removes the requirement that slot machines have nonresettable meters.

Committee Amendment "A" (S-142)

This amendment changes the provision in the bill that requires the Gambling Control Board to adopt rules to require that winnings from wagers due to a person who has been excluded from a casino or slot machine facility either voluntarily or involuntarily be withheld from the excluded person and remitted to an Other Special Revenue Funds account within the office of substance abuse within the Department of Health and Human Services. The amendment provides that winnings are intercepted when they are in an amount that requires reporting to the United States Internal Revenue Service and after any required child support debt or other obligations are remitted from those winnings. The amendment also requires the Gambling Control Board to allow for the excluded person to request an administrative hearing to contest the interception of winnings.

The amendment also clarifies that records obtained by the board regarding persons who seek to be voluntarily excluded from a slot machine facility or casino are confidential, as is provided by the bill, but may be made available in the form of statistical data or in a general manner that does not allow for personal identification of a voluntarily excluded person.

Finally, this amendment provides that the minimum average daily aggregate payback percentage for slot machines be calculated quarterly rather than weekly.

Enacted Law Summary

Public Law 2013, chapter 212 makes the following changes to the gambling laws.

1. It changes definitions and other provisions of law in order to reflect the addition of casinos.
2. It directs the Gambling Control Board to adopt or amend rules governing the establishment of a list of persons who are to be excluded from a slot machine facility or casino to establish a process for the withholding of winnings of a voluntarily excluded person and direct this money gambling addiction services.
3. It also provides that personally identifying information regarding those who voluntarily place themselves on an exclusion list is confidential.
4. It changes the way certain keys are handled within casinos.

Joint Standing Committee on Veterans and Legal Affairs

- 5. It allows for temporary authorization to allow employees to work in positions for which a license is required during the licensing process.
- 6. It changes the laws governing when the Gambling Control Board within the Department of Public Safety may refuse to grant a license to a person based on a previous adverse action taken against that person.
- 7. It removes the requirement that all key executives be citizens or permanent residents of the United States.
- 8. It removes the requirement that slot machines have nonresettable meters.
- 9. It provides that the minimum average daily aggregate payback percentage for slot machines be calculated quarterly rather than weekly.

Public Law 2013, chapter 212 was enacted as an emergency measure effective June 10, 2013.

LD 408 An Act To Require a Copy of Communications To Be Filed with Independent Expenditure Reports ONTP

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

This bill amends the law governing reports required for independent expenditures made in support of or opposition to a candidate. The bill requires that a copy of the communication be included with the independent expenditure report.

LD 410 An Act To Revise the Maine Clean Election Act Regarding Participation in Political Action Committees ACCEPTED MAJORITY (ONTP) REPORT

<u>Sponsor(s)</u>	<u>Committee Report</u>	<u>Amendments Adopted</u>
CHENETTE VALENTINO	ONTP OTP-AM	

This bill prohibits a certified candidate under the Maine Clean Election Act from establishing a political action committee for which the candidate is a principal officer, fund-raiser or decision maker.

Committee Amendment "A" (H-157)

This amendment changes the title and replaces the bill. The amendment which was not adopted, establishes a contribution limit of \$350 per contributor for a political action committee for which a current Legislator is a principal decision maker, officer or fund-raiser.

LD 428 An Act To License Betting on Football Score Pools ONTP

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