

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

This amendment reduces the one-time General Fund appropriation to develop and implement a new electronic filing system.

Enacted Law Summary

Public Law 2013, chapter 401 amends financial disclosure laws applicable to Legislators and certain executive branch employees. Under chapter 401, annual income received of \$2,000 or more must include a description as to the nature of the income. Ownership interests of 5% or more in business entities must be reported. Involvement as a responsible officer of a political party or political committee by the Legislator or executive employee, or by a member of that person's immediate family, must be reported. Chapter 401 states that financial disclosure statements required to be filed by Legislators and certain executive branch employees must be filed electronically and immediately placed on a publicly accessible website. Further, it allows the Commission on Governmental Ethics and Election Practices to assist with the electronic filing if necessary. Finally, chapter 401 directs the commission to make recommendations to the Joint Standing Committee on Veterans and Legal Affairs, which may then submit a bill directing the commission to adopt major substantive rules to provide for income disclosures to be reported in ranges based on income amount.

LD 1008 An Act To Assess a Fine on a Person Who Provides Misinformation on a Primary Candidate's Consent Form ONTP

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

This bill provides that a person who intentionally or knowingly makes a false statement on a consent form filed by a candidate with a primary petition commits a civil violation for which a fine of \$2,000 may be adjudged.

LD 1023 An Act To Provide Transparency in Fund-raising by and Lobbying of a Governor-elect VETO SUSTAINED

<u>Sponsor(s)</u>	<u>Committee Report</u>	<u>Amendments Adopted</u>
	OTP-AM ONTP	S-179

This bill authorizes a Governor-elect to establish a committee for the purpose of soliciting and accepting donations to finance inaugural activities or the Governor-elect's transition to office. Under the bill, the Governor-elect is required to appoint a treasurer to keep records of donations to the committee and file financial disclosure statements. A financial disclosure statement is due on February 15th after the Governor takes office. A donor giving more than \$100 must be disclosed. The committee is authorized to accept donations from the day after the election until January 31st following the election. The Governor-elect is prohibited from personally soliciting or accepting donations for the cost of the inauguration or the transition to office. Communicating with a Governor-elect or the Governor-elect's staff to influence legislation would constitute lobbying that is disclosed in reports to the Commission on Governmental Ethics and Election Practices.

This bill also amends the definition of "official in the legislative branch" to exclude candidates for or officers of the Legislature.

Committee Amendment "A" (S-179)

This amendment, which is the majority report of the Joint Standing Committee on Veterans and Legal Affairs, clarifies that a Governor-elect is required to form a committee if money is raised to fund transitional activities or inaugural events. It also requires the treasurer of that committee to keep an accounting and record of donors making

Joint Standing Committee on Veterans and Legal Affairs

donations in excess of \$10.

LD 1042 An Act To Increase the Opportunities for Taste-testing Events for On-premises Liquor Licensees

PUBLIC 258

<u>Sponsor(s)</u>	<u>Committee Report</u>	<u>Amendments Adopted</u>
TUTTLE LONGSTAFF	OTP-AM ONTP	S-225

This bill allows on-premises liquor licensees to conduct up to three taste-testing events per month for the general public under conditions and restrictions similar to those imposed upon off-premises licensees. The bill also allows in-state distillers, brewers and wineries and in-state and out-of-state wholesalers to provide or supply products for the on-premises licensee to use as taste-testing samples including by purchasing those products from the on-premises licensee's existing stock of inventory.

Committee Amendment "A" (S-225)

This amendment is the majority report of the Joint Standing Committee on Veterans and Legal Affairs.

This amendment reduces the number of taste-testing events that may occur at an establishment licensed for on-premises consumption of alcoholic beverages from 3 per month to one per month. The amendment requires that liquor provided for taste-testing events be provided by the licensee and not a manufacturer or wholesaler. The amendment specifies that taste-testing events are to be in a designated area of the establishment and that liquor remaining after the event may be returned to the licensee's stock. Finally, the amendment authorizes the division within the Department of Public Safety responsible for liquor licensing and enforcement to adopt rules and requires the division to submit a report regarding the conduct of taste-testing events at on-premises establishments.

Enacted Law Summary

Public Law 2013, chapter 258 allows for taste testing of malt liquor, wine and spirits at an establishment licensed for on-premises consumption of alcoholic beverages. The number of public taste testings are limited to one per month at any one establishment. Liquor provided for a taste testing must be provided by the licensee and the tasting must be limited to a designated area. A sales representative, wholesale licensee or certificate of approval holder may participate in the event and provide food or snacks as well as promotional displays and novelty items of nominal value.

LD 1077 An Act To Amend the Maine Clean Election Act and Campaign Finance Laws

ONTP

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

This bill removes the contribution limits placed on a person who wishes to contribute directly to the campaign of a candidate for the Legislature, Governor or other state or local offices. It also amends the Maine Clean Election Act by eliminating the requirement that participants must collect \$5 qualifying contributions. In order to qualify for distributions from the Maine Clean Election Fund, a candidate need only be certified as a candidate under the process governed by the Secretary of State and by filing a declaration of intent by April 1st of the election year. Under this bill, a participating candidate under the Maine Clean Election Act is not prohibited from accepting contributions from outside sources. The bill also provides that there are not distinctions made between enrolled and unenrolled candidates under the Maine Clean Election Act.