

MAINE STATE LEGISLATURE

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STATE OF MAINE
126TH LEGISLATURE
SECOND REGULAR SESSION



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

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

May 2014

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STATE OF MAINE
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LEGISLATIVE DIGEST OF BILL SUMMARIES AND
ENACTED LAWS

The *Digest* is arranged 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.

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 HOUSESHouse & 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
EMERGENCYenacted 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 Second Regular Session of the 126th Legislature is August 1, 2014. 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

Committee Amendment "A" (S-460)

This amendment is the majority report of the committee and replaces the bill. It provides that a manufacturer of spirits or a supplier of malt liquor, wine or low-alcohol spirits products may offer mail-in rebates through print or electronic media, attached to the package or displayed near the product where it is offered for sale for consumption off the licensed premises. Such mail-in rebates must be redeemed by the manufacturer or supplier and may not exceed the price of the product to which they are applied.

Enacted Law Summary

Public Law 2013, chapter 514 provides that, beginning January 1, 2015, a manufacturer of spirits or a supplier of malt liquor, wine or low-alcohol spirits products may offer mail-in rebates through print or electronic media, attached to the package or displayed near the product where it is offered for sale for consumption off the licensed premises. Such mail-in rebates must be redeemed by the manufacturer or supplier and may not exceed the price of the product to which they are applied.

LD 766 Resolve, Directing the Bureau of Alcoholic Beverages and Lottery Operations To Adopt Rules To Define the Term "Brand" as It Applies to the Distribution of Malt Liquor and Wine RESOLVE 89

<u>Sponsor(s)</u>	<u>Committee Report</u>	<u>Amendments Adopted</u>
BEAULIEU MASON G	OTP-AM	H-599

This bill was carried over from the First Regular Session of the 126th Legislature.

This bill defines "brand" under the liquor laws as the common name used to identify a manufacturer's line or family of liquor products comprising individual labels.

Committee Amendment "A" (H-599)

This amendment replaces the bill with a resolve directing the Director of the Bureau of Alcoholic Beverages and Lottery Operations within the Department of Administrative and Financial Services to adopt major substantive rules to define the term "brand" as it applies to the distribution of malt liquor and wine and permitting the bureau to define certain additional terms.

Enacted Law Summary

Resolve 2013, chapter 89 directs the Director of the Bureau of Alcoholic Beverages and Lottery Operations within the Department of Administrative and Financial Services to adopt major substantive rules to define the term "brand" as it applies to the distribution of malt liquor and wine and permitting the bureau to define certain additional terms.

LD 1111 An Act To Allow Maine's Harness Racing Industry To Compete with Casino Gaming Died Between Houses

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

This bill was carried over from the First Regular Session of the 126th Legislature.

This bill amends the eligibility requirements for slot machine operator licensing for a commercial track located

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within a three-mile radius of a commercial track that supports track and harness racing. The bill eliminates the deadline for local approval of the operation of slot machines at a commercial track facility that is currently without slot machines and requires approved slot machines to be located in a building adjacent to the harness racing oval. It increases the amount of slot machines allowed in the State from 3,000 to 4,500 and subjects the slot machines to the existing racino taxes and regulatory system.

Committee Amendment "A" (H-628)

This amendment, which was not adopted, replaces the bill and is the minority report of the committee. The amendment establishes a competitive bidding process for a resort casino in York County and Cumberland County that includes a minimum bid of \$50,000,000 for a license fee. The competitive bidding process is administered by the Department of Administrative and Financial Services and requires that preference be given to a bidder who has demonstrated experience in providing entertainment to residents of the State through wagering on harness races. The amendment provides that a portion of the fee paid for a casino operator license subject to the competitive bidding process must be reimbursed by the Department of Public Safety, Gambling Control Board if another casino or slot machine facility with more than five slot machines is licensed within ten years of the award of the casino operator license. The amendment provides for a \$250,000 application fee, which is to be used to defray the cost of the process and to fund a study to determine the fair market value of a resort casino license in York County and Cumberland County. The amendment provides that 1% of the gross slot machine revenue from the casino licensed pursuant to competitive bidding will be credited to the General Fund. It further provides that the Gambling Control Board must collect 39% of the net slot machine revenue and 16% of the net table game revenue and distribute it as follows: 11% to supplement harness racing purses; 4.5% to the Sire Stakes Fund; 4.5% to the Agricultural Fair Support Fund; 4.5% to the host municipality; 1.5% divided among abutting municipalities; 1% to the Fund to Stabilize Off-track Betting Facilities; and 73% to the General Fund.

LD 1298 An Act To Authorize the Houlton Band of Maliseet Indians To Operate a Casino in Aroostook County Died Between Houses

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

This bill was carried over from the First Regular Session of the 126th Legislature.

This bill authorizes the Department of Public Safety, Gambling Control Board to accept an application for a casino operator license to operate slot machines and table games at a casino on the North Road property of the Houlton Band of Maliseet Indians in the Town of Houlton from the Houlton Band of Maliseet Indians. A casino operated by the Houlton Band of Maliseet Indians would not be required to be approved at referendum. The bill raises the limit on the number of slot machines allowed in the State to accommodate the casino operated by the Houlton Band of Maliseet Indians. A casino operated by the Houlton Band of Maliseet Indians would be subject to the oversight of the Gambling Control Board and subject to the same laws and rules as currently licensed casinos.

Committee Amendment "A" (H-629)

This amendment, which was not adopted, is the minority report of the committee and replaces the bill. The amendment, like the bill, authorizes the Gambling Control Board within the Department of Public Safety to license the Houlton Band of Maliseet Indians to operate a casino in Aroostook County. Unlike the bill, which exempts the authorization from approval via referendum, the amendment provides that the license is contingent upon approval by the voters of Aroostook County. The amendment also provides language that exempts the casino from being subject to competitive bidding. The amendment provides for a distribution of 35% of the net slot machine revenue and 10% of the table game revenue from the casino.