

# MAINE STATE LEGISLATURE

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STATE OF MAINE  
126<sup>TH</sup> 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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## 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 126<sup>th</sup> 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 126<sup>th</sup> 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 1504    Resolve, Directing the Adjutant General of the State To Ensure the  
Maine Code of Military Justice Addresses Sexual Trauma in the  
Military**

**RESOLVE 66**

<u>Sponsor(s)</u>	<u>Committee Report</u>	<u>Amendments Adopted</u>
VALENTINO RUSSELL	OTP-AM	S-189

This resolve directs the Adjutant General of the State to conduct an assessment of the Maine Code of Military Justice and other provisions of Maine law that deal with military personnel to ensure that these laws are comparable to federal laws in addressing the adequate investigation, prosecution and adjudication of sexual assault by members of the Maine National Guard and the appropriate treatment of Maine National Guard members who are victims of sexual assault.

**Committee Amendment "A" (S-189)**

This amendment adds clarifying language to refer to state active duty personnel in or attached to the Maine National Guard.

**Enacted Law Summary**

Resolve 2013, chapter 66 directs the Adjutant General of the State to conduct an assessment of the Maine Code of Military Justice and other provisions of Maine law that deal with military personnel to ensure that these laws are comparable to federal laws in addressing the adequate investigation, prosecution and adjudication of sexual assault by members of the Maine National Guard and the appropriate treatment of Maine National Guard members who are victims of sexual assault.

**LD 1518    An Act Concerning Liquor Licensing Laws for Holders of 2 Licenses**

**PUBLIC 344**

<u>Sponsor(s)</u>	<u>Committee Report</u>	<u>Amendments Adopted</u>
GOODALL BERRY	OTP-AM ONTP	S-245

Current law prohibits a portion of a premise to be licensed as an off-premise retail licensee and the remaining portion of the same premise to be licensed as a Class A restaurant unless there is not public access between the two premises and the licensee maintains separate records, supplies and inventory for each licensed premise.

This bill removes those restrictions.

**Committee Amendment "A" (S-245)**

This amendment replaces the bill. The amendment allows premises to be issued a separate license for the on-premises consumption of malt liquor and wine in the same location where the person is licensed to sell liquor for off-premises consumption as long as the two licensed areas are separated by a wall or barrier that allows for only one controlled point of access between the two areas by patrons. The exception provided in this amendment is repealed September 30, 2015. The amendment also corrects a cross-reference.

**Enacted Law Summary**

Public Law 2013, chapter 344 allows retail premises to be issued a separate license for the on-premises consumption of malt liquor and wine in the same location where the person is licensed to sell liquor for off-premises consumption as long as the two licensed areas are separated by a wall or barrier that allows for only one controlled

*Joint Standing Committee on Veterans and Legal Affairs*

point of access between the two areas by patrons.

This exception to existing law provided by chapter 344 is repealed September 30, 2015.

**LD 1520      An Act To Allow the Passamaquoddy Tribe To Operate Slot Machines      CARRIED OVER**  
**in Washington County in Conjunction with High-stakes Beano**

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

This bill authorizes the Department of Public Safety, Gambling Control Board to accept an application from the Passamaquoddy Tribe to operate slot machines at a gaming facility in Washington County at which high-stakes beano is conducted by the Passamaquoddy Tribe. The bill raises the limit on the number of slot machines allowed in the State by 750 to accommodate the slot machines that may be operated by the Passamaquoddy Tribe. Slot machines operated by the Passamaquoddy Tribe would be subject to the oversight of the Gambling Control Board and subject to the same laws and rules as other slot machines operated in this State. The bill also amends the laws governing high-stakes beano to allow the Passamaquoddy Tribe to operate high-stakes beano on days as determined by the Passamaquoddy Tribe. The provisions of the bill are subject to approval by the voters of Washington County.

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 1543      Resolve, Regarding Legislative Review of Portions of Chapter 3: Maine      VETO**  
**Clean Election Act and Related Provisions, a Late-filed Major      SUSTAINED**  
**Substantive Rule of the Commission on Governmental Ethics and**  
**Election Practices**

<u>Sponsor(s)</u>	<u>Committee Report</u>	<u>Amendments Adopted</u>
	OTP OTP-AM	H-538 LUCHINI

This Resolve provides for legislative review of portions of Chapter 3: Maine Clean Election Act and Related Provisions, a major substantive rule of the Commission on Governmental Ethics and Election Practices that was filed outside the legislative rule acceptance period.

**Committee Amendment "A" (H-463)**

This amendment, which was not adopted and is the minority report of the Joint Standing Committee on Veterans and Legal Affairs, authorizes the adoption of portions of Chapter 3: Maine Clean Election Act and Related Provisions only if it is amended to prohibit the use of Maine Clean Election funds to pay for a post-primary election or post-general election party.

**House Amendment "A" (H-538)**

This amendment removes the emergency preamble and emergency clause.