

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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COLLEEN MCCARTHY REID, LEGISLATIVE ANALYST
OFFICE OF POLICY AND LEGAL ANALYSIS
13 STATE HOUSE STATION
AUGUSTA, ME 04333
(207) 287-1670

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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.

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Human Services by November 1, 2013 on these efforts.

Part E requires the Commissioner of Health and Human Services, the Commissioner of Corrections and the Executive Director of the State Board of Corrections to evaluate the impact of the MaineCare expansion on programs and services that do not currently receive Federal Medical Assistance percentage matching funds or do not qualify for enhanced Federal Medical Assistance percentage matching funds under the federal Patient Protection and Affordable Care Act, with the goal of identifying and maximizing General Fund savings. Part E requires a report by March 1, 2014 to the Joint Standing Committee on Appropriations and Financial Affairs, the Joint Standing Committee on Health and Human Services and the Joint Standing Committee on Criminal Justice and Public Safety on the amount of General Fund savings resulting from the MaineCare expansion. The report must include the amount of savings realized during fiscal year 2013-14 by service area or program and the amount of savings projected to be achieved during the remainder of that fiscal year and during fiscal year 2014-15. Part E requires the State Budget Officer to calculate the amount of savings that applies against each General Fund account for all departments and agencies from savings associated with the MaineCare expansion and to transfer the amounts by financial order upon the approval of the Governor. It requires the State Controller to transfer any remaining savings to the MaineCare Stabilization Fund. Part E requires the State Budget Officer to provide a report of the transferred amounts to the Joint Standing Committee on Appropriations and Financial Affairs no later than March 1, 2014.

Part F provides funding for positions in the Department of Health and Human Services, Bureau of Family Independence.

Part G removes the administration of the sale of fortified wine by the State, beginning July 1, 2014.

Committee Amendment "A" (S-96)

This amendment, which was not adopted, is the minority amendment to the bill reported out of the Joint Standing Committee on Veterans and Legal Affairs regarding the wholesale spirits contract.

This amendment removes those parts of the bill related to MaineCare expansion.

Senate Amendment "C" (S-108)

This amendment, which was not adopted, removes the emergency preamble and emergency clause.

LD 1548

An Act To Support Maine Businesses by Authorizing Certain Brewing Partnerships

**PUBLIC 345
EMERGENCY**

<u>Sponsor(s)</u>	<u>Committee Report</u>	<u>Amendments Adopted</u>
ALFOND	OTP-AM	S-252

This bill clarifies that the laws governing the transfer of liquor licenses do not apply to alternating brewery proprietorships regulated by the United States Department of the Treasury, Alcohol and Tobacco Tax and Trade Bureau.

Committee Amendment "A" (S-252)

This amendment replaces the bill. The amendment establishes a license for a tenant brewer, which is a brewer that produces malt liquor at the manufacturing facility of another licensed brewer. A tenant brewer is licensed simply for the production of malt liquor and is not granted privileges extended to the host brewer, such as operation of an on-site retail store or offering on-site taste-testing for the public. Under the amendment, a host brewer may have only one tenant brewer operating at its facility. The amendment also clarifies that tenant brewers are authorized to take part in beer and wine taste-tasting festivals. The amendment adds an emergency preamble and emergency

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clause to the bill.

Enacted Law Summary

Public Law 2013, chapter 345 establishes a license for a tenant brewer, which is a brewer that produces malt liquor at the manufacturing facility of another licensed brewer. A tenant brewer is licensed simply for the production of malt liquor and is not granted privileges extended to the host brewer, such as operation of an on-site retail store or offering on-site taste-testing for the public. Under chapter 345, a host brewer may have only one tenant brewer operating at its facility. Chapter 345 also clarifies that tenant brewers are authorized to take part in beer and wine taste-tasting festivals.

Public Law 2013, chapter 345 was enacted as an emergency measure effective June 24, 2013.

LD 1558 An Act To Provide Property Tax Relief by Expanding Gaming Opportunities

DIED BETWEEN HOUSES

Sponsor(s)
MCCABE

Committee Report

Amendments Adopted

This bill was acted upon without reference to committee.

This bill allows the Gambling Control Board to accept an application for a casino operator license to operate slot machines and table games at a casino from a person who is licensed to operate a commercial track that conducted harness racing with pari-mutuel wagering on more than 25 days during calendar year 2002 and at which the operation of a casino at the commercial track is approved by the voters of the municipality and county in which the commercial track to be licensed is located by referendum election held at any time after December 31, 2002. Except for an interim period after licensure, the casino must be located in a building adjacent to and that provides a prominent view of the racing oval with a hotel that includes at least 115 guest rooms. The casino operator must enter into an agreement with the municipality where the slot machines are located that provides for revenue sharing or other compensation of at least 3% of the net slot machine income. The fee for this license is \$5,000,000 and the licensee must make a prepayment of money that otherwise would be required to be distributed from slot machine revenue in the amount of \$50,000,000, which must be deposited in the General Fund. The limit on the number of slot machines that may be registered in the State is raised from 3,000 to 4,500.

The bill establishes the Property Tax Relief Fund. Allocations from the fund must be made to provide property tax relief and may include, but are not limited to, allocations to state-municipal revenue sharing, the Disproportionate Tax Burden Fund and the Maine Residents Property Tax Program, also known as the Circuit Breaker Program.

The casino operator must distribute 1% of gross slot machine income to the General Fund for the administrative expenses of the Gambling Control Board. The casino operator must distribute 39% of net slot machine income as follows:

1. One percent for the administrative expenses of the Gambling Control Board and for the Gambling Addiction Prevention and Treatment Fund;
2. Eight percent to supplement harness racing purses;
3. Two percent to the Sire Stakes Fund;
4. Three percent to the Agricultural Fair Support Fund;