

# MAINE STATE LEGISLATURE

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STATE OF MAINE  
126<sup>TH</sup> 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**  
126<sup>TH</sup> LEGISLATURE  
SECOND REGULAR SESSION  
**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 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 Second Regular Session of the 126<sup>th</sup> 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*

- 1 ½% to the Coordinated Veterans Assistance Fund;
- 2 ½% to the federally recognized Indian tribes in the State;
- 20 ½% to the Department of Education for the purpose of funding kindergarten to grade 12 education; and
- 20 ½% to the Local Government Fund under the Maine Revised Statutes, Title 30-A, chapter 223 for the purpose of revenue sharing with the municipalities of the State.

**LD 1681      An Act To Amend the Laws Governing Gambling and Criminal History      ONTP**  
**Record Checks**

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

This bill specifies the portions of net slot machine and table game income collected by a casino operator or slot machine operator for administrative expenses of the Department of Public Safety, Gambling Control Board that must be deposited in the General Fund and the Gambling Control Board administrative expenses Other Special Revenue Funds account.

The bill moves a dedicated fund in the Department of Education regarding criminal history record checks to the Department of Public Safety.

It also provides that, with respect to fingerprint-supported criminal history record checks, unless otherwise specified in law, the full fee charged must be deposited in a dedicated revenue account for the purpose of paying the costs of the Department of Public Safety.

**LD 1690      An Act Concerning Confidential Records Received by the Commission      PUBLIC 470**  
**on Governmental Ethics and Election Practices**

<u>Sponsor(s)</u>	<u>Committee Report</u>	<u>Amendments Adopted</u>
LUCHINI	OTP	

This bill clarifies that certain investigative records of the Commission on Governmental Ethics and Election Practices designated confidential under current law maintain their confidentiality even if they are in the possession of a financial institution or vendor of a candidate, political action committee or other association being investigated by the commission. Those categories of documents are also confidential if received in the context of an audit or other enforcement matter such as a staff review of the compliance of campaign finance reports. The commission may present those documents or discuss them at a public meeting of the commission when they are materially relevant to a final commission determination or other decision by the commission concerning an audit, investigation or other enforcement matter.

**Enacted Law Summary**

Public Law 2013, chapter 470 clarifies that certain investigative records of the Commission on Governmental Ethics and Election Practices designated confidential under current law maintain their confidentiality even if they are in the possession of a financial institution or vendor of a candidate, political action committee or other association being investigated by the commission. Those categories of documents are also confidential if received in the context of an audit or other enforcement matter such as a staff review of the compliance of campaign finance reports. The commission may present those documents or discuss them at a public meeting of the commission when

## *Joint Standing Committee on Veterans and Legal Affairs*

they are materially relevant to a final commission determination or other decision by the commission concerning an audit, investigation or other enforcement matter.

**LD 1713     An Act To Permit the Sharing of Revenue from the Sale of Alcoholic Beverages at Sporting Events**

**PUBLIC 446  
EMERGENCY**

<u>Sponsor(s)</u>	<u>Committee Report</u>	<u>Amendments Adopted</u>
ALFOND	OTP-AM	S-377

This bill creates an exception to the law that prohibits a liquor license from being sold, assigned or subject to the control of a person other than the licensee. The bill allows a civic auditorium that holds a liquor license and serves as the designated host facility for a professional sports team to enter into an agreement to share the proceeds from the sale of alcoholic beverages sold in conjunction with the professional team's sporting events. In order to qualify for this exception, the civic auditorium must have the capacity to seat at least 3,000 people.

**Committee Amendment "A" (S-377)**

This amendment adds an emergency preamble and emergency clause to the bill and strikes the requirement that a professional sports team must play at least 15 calendar days at a host facility in order to share revenue from liquor sales with the host facility. The amendment also provides that the revenue-sharing exception applies to any licensee that has the capacity to seat at least 3,000 people and hosts a professional sports team, not just licensed civic auditoriums. The amendment also requires that the licensee disclose not only the existence of an agreement with the sports team but also the terms of the revenue-sharing agreement when applying for a liquor license.

**Enacted Law Summary**

Public Law 2013, chapter 446 establishes an exception to a provision in current law that prohibits a liquor license from being sold, assigned or subject to the control of a person other than the licensee. Chapter 446 provides that a licensee whose establishment has the capacity to seat at least 3,000 people and is the designated host facility for a professional sports team, may enter into an agreement to share revenues from the sale of alcoholic beverages with the professional sports team. The revenues to be shared are limited to those generated by sales of alcoholic beverages at sporting events conducted by the professional sports team. In order to share revenues, the professional sports team must conduct at least 75% of its sporting events as the home team in competition at the licensed facility. Revenue sharing agreements are required to be disclosed to the Bureau of Alcoholic Beverages and Lottery Operations.

Public Law 2013, chapter 446 was enacted as an emergency measure effective February 18, 2014.

**LD 1763     An Act To Make Available to the Public Certain Information Concerning the Alcohol Content of Malt Liquor, Wine and Spirits**

**PUBLIC 504  
EMERGENCY**

<u>Sponsor(s)</u>	<u>Committee Report</u>	<u>Amendments Adopted</u>
LUCHINI PATRICK	OTP-AM	H-685

Current law prohibits a person licensed to manufacture, sell or distribute alcoholic beverages from publishing in any form an advertisement of malt liquor that refers in any manner to the alcohol content of the malt liquor manufactured, sold or distributed by that licensee, including through the use of phrases such as "full strength," "extra strength" or "prewar strength." The inclusion of the alcohol content on the product label is permitted. This bill prohibits the use of images as well as phrases that may be considered as statements of high alcohol content but permits the advertisement of alcohol content with respect to malt liquor, wine and spirits as long as it is expressed as a percentage of alcohol by volume.