

# MAINE STATE LEGISLATURE

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STATE OF MAINE  
127<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**

August 2015

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# STATE OF MAINE

127<sup>TH</sup> 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 127<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. An appendix provides a summary of relevant session statistics.

Final action on each LD is noted to the right of the LD title. The following describes the various final actions.

<i>CARRIED OVER</i> .....	<i>carried over to a subsequent session of the Legislature</i>
<i>CON RES XXX</i> .....	<i>chapter # of constitutional resolution passed by both houses</i>
<i>CONF CMTE UNABLE TO AGREE</i> .....	<i>Committee of Conference unable to agree; legislation died</i>
<i>DIED BETWEEN HOUSES</i> .....	<i>House &amp; Senate disagreed; legislation died</i>
<i>DIED IN CONCURRENCE</i> .....	<i>defeated in each house, but on different motions; legislation died</i>
<i>DIED ON ADJOURNMENT</i> .....	<i>action incomplete when session ended; legislation died</i>
<i>EMERGENCY</i> .....	<i>enacted law takes effect sooner than 90 days after session adjournment</i>
<i>FAILED, EMERGENCY ENACTMENT or FINAL PASSAGE</i> .....	<i>emergency failed to receive required 2/3 vote</i>
<i>FAILED, ENACTMENT or FINAL PASSAGE</i> .....	<i>failed to receive final majority vote</i>
<i>FAILED, MANDATE ENACTMENT</i> .....	<i>legislation proposing local mandate failed required 2/3 vote</i>
<i>HELD BY GOVERNOR</i> .....	<i>Governor has not signed; final disposition to be determined at subsequent session</i>
<i>LEAVE TO WITHDRAW</i> .....	<i>sponsor's request to withdraw legislation granted</i>
<i>NOT PROPERLY BEFORE THE BODY</i> .....	<i>ruled out of order by the presiding officer; legislation died</i>
<i>INDEF PP</i> .....	<i>indefinitely postponed; legislation died</i>
<i>ONTP, ACCEPTED, MAJORITY, MINORITY or REPORT X</i> ....	<i>ought-not-to-pass report accepted; legislation died</i>
<i>P&amp;S XXX</i> .....	<i>chapter # of enacted private &amp; special law</i>
<i>PUBLIC XXX</i> .....	<i>chapter # of enacted public law</i>
<i>RESOLVE XXX</i> .....	<i>chapter # of finally passed resolve</i>
<i>VETO SUSTAINED</i> .....	<i>Legislature failed to override Governor's veto</i>

The effective date for non-emergency legislation enacted in the First Regular Session of the 127<sup>th</sup> Legislature is October 15, 2015. 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*

and December 31, 2016 is 80; beginning January 1, 2017 the number increases to 150.

The bill provides that 10% of the net slot machine income from a charitable nonprofit veterans' organization is required to be deposited directly with the Gambling Control Board for administrative expenses; 8% goes directly to the General Fund; 10% goes to the host municipality; and 2% is dedicated to gambling addiction prevention and treatment. A charitable nonprofit veterans' organization that is licensed to operate slot machines is required to establish a separate account, from which the board may withdraw funds to distribute the net revenue percentages. The remaining revenue generated from the slot machines must be used to support the charitable purposes of the veterans' organization.

**LD 122      An Act To Standardize Pints of Beer Sold in Maine      Veto Sustained**

<u>Sponsor(s)</u>	<u>Committee Report</u>	<u>Amendments Adopted</u>
PATRICK GOODE	OTP-AM ONTP	S-7

This bill requires that if an on-premises retail liquor licensee sells or offers for sale a pint of malt liquor, the container it comes in must have a capacity of at least 16 fluid ounces.

**Committee Amendment "A" (S-7)**

This amendment, which is the majority report of the committee, makes a technical change to the bill by placing it in the section of statute that applies to on-premises licensees specifically. It also clarifies that the requirement to have a container that holds 16 fluid ounces applies when the licensee represents in written form to patrons that the licensee sells malt liquor by the pint.

**LD 145      An Act To Amend the Verification and Certification Process for Direct Initiatives and People's Veto Referenda      ONTP**

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

This bill removes the duty of verifying and certifying petitions in direct initiatives of legislation and people's veto referenda from municipal clerks and registrars and instead requires the Secretary of State to verify and certify all petitions. The Secretary of State is also required to send a random sampling of 10% of the petitions back to the municipalities to review for accuracy for audit purposes. The bill also creates three positions in the Secretary of State's office to assist in the verification and certification process for petitions in direct initiatives and people's veto referenda.

**LD 174      An Act To Amend the Maine Clean Election Act Regarding Candidate Participation in Political Action Committees      PUBLIC 116**

<u>Sponsor(s)</u>	<u>Committee Report</u>	<u>Amendments Adopted</u>
PARRY VALENTINO	OTP-AM	H-147

This bill prohibits a Maine Clean Election Act candidate from establishing or participating in the activities of a political action committee for which the candidate is a principal officer, fund-raiser or decision maker. This prohibition also applies to the 12 months preceding certification as a Maine Clean Election Act candidate.

## Joint Standing Committee on Veterans and Legal Affairs

### Committee Amendment "A" (H-147)

This amendment replaces the bill. The amendment prohibits a Maine Clean Election Act candidate, as part of the terms of participation in the act, from establishing a political action committee for which the candidate is a treasurer or principal officer or for which the candidate is primarily responsible for fund-raising or decision making. This prohibition applies beginning with the election cycle beginning in 2016. For the purpose of this prohibition, an election cycle begins on April 1st immediately preceding the general election and ends on January 1st immediately preceding the next general election.

### Enacted Law Summary

Public Law 2015, chapter 116 prohibits a Maine Clean Election Act candidate, as part of the terms of participation in the act, from establishing a political action committee for which the candidate is a treasurer or principal officer or for which the candidate is primarily responsible for fund-raising or decision making. This prohibition applies beginning with the election cycle beginning in 2016. For the purpose of this prohibition, an election cycle begins on April 1st immediately preceding the general election and ends on January 1st immediately preceding the next general election.

### LD 175      **An Act To Limit Maine Clean Election Act Funding to First-time Candidates**      ONTP

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

This bill limits participating candidates under the Maine Clean Election Act to first-time candidates for Governor, State Senator or State Representative.

### LD 176      **An Act To Amend the Law Governing the Gathering of Signatures for Direct Initiatives and People's Veto Referenda**      PUBLIC 99 EMERGENCY

<u>Sponsor(s)</u>	<u>Committee Report</u>	<u>Amendments Adopted</u>
SHORT CUSHING	OTP-AM	H-98

This bill prohibits persons who are not residents of the State from collecting signatures on a petition for the direct initiative of legislation or a people's veto referendum and from handling such a petition in any manner. The bill permits persons who are not residents to provide others with information about a petition. The bill requires a person employed by a petition organization to register with the Commission on Governmental Ethics and Election Practices and to disclose to the commission information regarding the person's place of residence, employment history, compensation, number of signatures gathered in a month and petitions circulated and to wear an identification badge when collecting signatures. The bill requires a petition organization to post a \$2,000 bond on a circulator receiving over \$2,500 in compensation. The bill makes a violation of any of these provisions a Class E crime.

### Committee Amendment "A" (H-98)

This amendment replaces the bill, which imposes limitations and residency restrictions on circulators of petitions. The amendment clarifies the law regarding the solicitation of signatures for a direct initiative or a people's veto referendum. It also requires a petition organization that receives compensation for working on a signature-gathering effort to submit to the Secretary of State as part of the organization's registration process a list containing the names of those hired by the organization, which must be updated when the petitions are ultimately filed with the Secretary of State.