

# 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

FIRST REGULAR SESSION



## 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.

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allotment to an allotment that allows up to eight agency liquor licenses for municipalities with a population over 20,000 to 30,000, nine agency liquor licenses for municipalities with a population over 30,000 to 45,000 and ten agency liquor licenses for municipalities with a population over 45,000.

### **Enacted Law Summary**

Public Law 2015, chapter 128 changes the allotment of agency liquor stores in municipalities with a population from 20,000 to 50,000. Chapter 128 allows up to eight agency liquor licenses for municipalities with a population over 20,000 to 30,000, nine agency liquor licenses for municipalities with a population over 30,000 to 45,000 and ten agency liquor licenses for municipalities with a population over 45,000.

### **LD 509      An Act To Facilitate the Timely Return of Requested Absentee Ballots      ONTP**

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

This bill requires that the return envelopes for absentee ballots supplied to municipalities by the Secretary of State allow a voter to use the United States Postal Service to return the ballot to the municipal clerk at no cost to the voter.

### **LD 510      An Act To Increase the Number of Container Options for Breweries      ONTP**

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

This bill removes the requirement that beer dispensed by a brewery at its on-premises location for off-premises consumption be in bottles with labels unique to the brewery.

### **LD 511      An Act To Permit a Licensed Sales Representative To Provide Spirits at an Approved Tasting Event      PUBLIC 184**

<u>Sponsor(s)</u>	<u>Committee Report</u>	<u>Amendments Adopted</u>
GIDEON HASKELL	OTP-AM ONTP	H-176

This bill amends the law concerning licensed sales representatives at liquor tasting events by allowing a sales representative to provide spirits to be sampled under certain conditions and by allowing a sales representative to pour spirits or wine at a liquor tasting event.

#### **Committee Amendment "A" (H-176)**

This amendment replaces the bill and is the majority report of the committee. The amendment provides that a licensed sales representative may provide spirits for a taste testing at an agency liquor store. The agency liquor store must indicate that a sales representative will be providing the product and verify that the sales representative has successfully completed an alcohol server education course when it requests authorization to conduct a spirits tasting event. Spirits provided by a sales representative must be purchased at the regular retail price from the agency liquor store where the tasting will take place. Under the provision of law governing licensed sales representatives, the amendment adds the requirement that a sales representative who provides spirits for a consumer

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tasting at an agency liquor store must have successfully completed an alcohol server education course. The amendment also makes a technical correction to existing law governing licensed sales representatives.

### Enacted Law Summary

Public Law 2015, chapter 184 provides that a licensed sales representative may provide spirits for a taste testing at an agency liquor store. The agency liquor store must indicate that a sales representative will be providing the product and verify that the sales representative has successfully completed an alcohol server education course when it requests authorization to conduct a spirits tasting event. Spirits provided by a sales representative must be purchased at the regular retail price from the agency liquor store where the tasting will take place. Under the provision of law governing licensed sales representatives, chapter 184 adds the requirement that a sales representative who provides spirits for a consumer tasting at an agency liquor store must have successfully completed an alcohol server education course.

### LD 516 An Act Regarding Gaming

**PUBLIC 96  
EMERGENCY**

Sponsor(s)

LUCHINI  
CYRWAY

Committee Report

OTP-AM

Amendments Adopted

H-24

This bill clarifies the authority of the State Liquor and Lottery Commission with regard to the conduct of lotteries. It provides that lotteries may include draw games in which the prize paid is calculated as a share of the prize pool but may not include draw games, such as keno, in which the player wins a set prize amount based on the wager made by the player.

### Committee Amendment "A" (H-24)

This amendment clarifies that authorized lottery games do not include draw games, such as keno, that have more than five daily drawings and in which a player wins a set prize amount based on the wager made by the player.

### Enacted Law Summary

Public Law 2015, chapter 96 clarifies the authority of the State Liquor and Lottery Commission with regard to the conduct of lotteries. It provides that lotteries may include draw games in which the prize paid is calculated as a share of the prize pool but may not include draw games with more than five daily drawings, such as keno, in which the player wins a set prize amount based on the wager made by the player.

Public Law 2015, chapter 96 was enacted as an emergency measure effective May 20, 2015.

### LD 523 An Act To Amend the Laws Regarding the Sale of Liquor

**PUBLIC 101**

Sponsor(s)

GRATWICK  
GOODE

Committee Report

OTP-AM

Amendments Adopted

S-61

This bill allows a license for the sale of alcoholic beverages at a civic auditorium to be issued to the civic auditorium owner or operator or to the entity providing the alcoholic beverages. The bill provides that, in specific areas of the civic auditorium, such as club seats, suites or meeting spaces, alcoholic beverages may be sold in their original containers. The bill provides that alcoholic beverages may be sold during an event at a civic auditorium primarily attended by minors as long as they are sold in areas where the event is not taking place. The bill repeals the requirement that a licensee give written notice to the Department of Administrative and Financial Services, Bureau of Alcoholic Beverages and Lottery Operations at least 24 hours before a function or event at a civic