

MAINE STATE LEGISLATURE

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STATE OF MAINE
127TH 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

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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 127th 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 & 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&S XXX</i>	<i>chapter # of enacted private & 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 127th 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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This amendment adds an emergency preamble and emergency clause.

Enacted Law Summary

Public Law 2015, chapter 185 establishes a tenant winery license similar to the tenant brewery license in current law. Under this law, a tenant winery must have approval from the United States Department of the Treasury, Alcohol and Tobacco Tax and Trade Bureau authorizing an alternating proprietorship with another winery. Chapter 185 allows up to nine tenant wineries per host winery. A tenant winery may share or rent the facilities and equipment of the host winery under certain conditions, including maintaining control of their own raw ingredients and complying with reporting requirements of the Department of Administrative and Financial Services, Bureau of Alcoholic Beverages and Lottery Operations. Since manufacturers of hard cider are licensed as wineries under current law, this law applies to the manufacture of hard cider as well as wine.

Public Law 2015, chapter 185 was enacted as an emergency measure effective June 15, 2015.

LD 617 An Act To Change Municipal Campaign Contribution Limits Died Between Houses

<u>Sponsor(s)</u>	<u>Committee Report</u>	<u>Amendments Adopted</u>
CHIPMAN LIBBY	OTP-AM	

This bill reduces the maximum allowable contribution to a municipal candidate from \$750 to \$350, which was the limit prior to January 1, 2012.

Committee Amendment "A" (H-167)

This amendment adds to the bill a provision that applies the \$350 campaign contribution limit in the bill for candidates for municipal office to candidates for a county office and establishes an effective date for the bill of January 1, 2016.

LD 618 An Act To Facilitate the Production of Hard Cider in Maine ONTP

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

This bill allows the holder of a brewery or small brewery license to manufacture hard cider.

LD 619 An Act To Limit the Participation of Candidates and Legislators in Political Action Committees and Nonprofit Entities Conducting Political Activities ONTP

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

This bill prohibits a candidate or current Legislator from soliciting contributions for or playing any role in a political action committee or a nonprofit entity unless the organization limits its activities to ballot questions for the

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duration of the election cycle.

LD 620 An Act To Allow Veterans' Organizations To Own and Operate Slot Machines ONTP

<u>Sponsor(s)</u> PICCHIOTTI	<u>Committee Report</u> ONTP	<u>Amendments Adopted</u>
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This bill authorizes the Department of Public Safety, Gambling Control Board to issue licenses for the operation of slot machines to charitable nonprofit organizations and off-track betting facilities. A charitable nonprofit organization must have been a bona fide nonprofit for at least two years prior to October 1, 2014 and must own or lease the premises on which the slot machines are operated. An eligible nonprofit charitable organization is limited to five slot machines. Facilities licensed as off-track betting facilities are limited to 50 machines per facility. The bill increases the statewide limit on the number of slot machines to be operated from 3,000 to 3,250.

A charitable nonprofit organization authorized to operate slot machines is required to distribute 30% of net slot machine revenue to the board to be divided among the Gambling Control Board, gambling addiction and treatment programs, the General Fund and the host municipality. An off-track betting facility is required to distribute 45% of net slot machine revenue to the board to be divided among the Gambling Control Board, gambling addiction and treatment programs, the General Fund, the host municipality and the Coordinated Veterans Assistance Fund.

LD 626 An Act Regarding Write-in Candidates in Municipal and City Elections PUBLIC 160

<u>Sponsor(s)</u> MASON	<u>Committee Report</u> OTP-AM	<u>Amendments Adopted</u> S-107
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Current law requires municipal and city ballot clerks to count all write-in votes in a municipal or city election regardless of the number of write-in votes cast. This bill provides that a ballot clerk must count and tabulate the votes cast for a write-in candidate only if the printed ballot does not include a properly nominated candidate or the number of write-in votes exceeds the number of votes for a candidate printed on the ballot.

Committee Amendment "A" (S-107)

This amendment replaces the bill. It provides a local option for municipalities to accept the provisions of state election law governing votes for write-in candidates for their municipal elections of candidates by secret ballot. The amendment also provides that a municipality must count votes for write-in candidates only under certain circumstances, such as when there is no properly nominated candidate or when a properly nominated candidate whose name is listed on the ballot withdraws from the race on or before election day.

Enacted Law Summary

Public Law 2015, chapter 160 provides a local option for municipalities to accept the provisions of state election law governing votes for write-in candidates for their municipal elections of candidates by secret ballot. It also provides that a municipality must count votes for write-in candidates only under certain circumstances, such as when there is no properly nominated candidate or when a properly nominated candidate whose name is listed on the ballot withdraws from the race on or before election day.