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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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.

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 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.

LD 983   **An Act To Clarify Wine Auction Licenses**   **PUBLIC 366**

Sponsor(s)	Committee Report	Amendments Adopted
PATRICK	OTP-AM	S-226
GIDEON		S-238 PATRICK

This bill allows the Department of Administrative and Financial Services, Bureau of Alcoholic Beverages and Lottery Operations to issue to a holder of an auctioneer license a permit to conduct a wine auction for privately held wine. The bill establishes the fee for and sets specific conditions on the wine auction permit.

Committee Amendment "A" (S-226)

This amendment clarifies when wine is considered to be fine and rare for the purpose of being sold at auction. Under the bill, fine and rare wine is wine that is not available for sale in the State by a licensed retailer or wholesaler. The amendment clarifies that wine meets this fine and rare standard if it is not available for sale at the time the inventory of wine to be auctioned is provided to the Department of Administrative and Financial Services, Bureau of Alcoholic Beverages and Lottery Operations. The amendment also states that notice of a wine auction must be made to the bureau at least 30 days in advance and that containers of auctioned wine are not subject to the bottle deposit law.

This amendment also adds an appropriations and allocations section to the bill.

Senate Amendment "A" To Committee Amendment "A" (S-238)

This amendment removes the provision of the committee amendment that exempts containers of auctioned wine from the bottle deposit law. Under this amendment, containers of auctioned wine must comply with the bottle deposit law.

Enacted Law Summary

Public Law 2015, chapter 366 establishes a wine auction permit to be issued by the by the Department of Administrative and Financial Services, Bureau of Alcoholic Beverages and Lottery Operations. The permit authorizes a person who is licensed as an auctioneer by the Board of Licensing of Auctioneers to auction privately held fine and rare wine which is not otherwise available for wholesale or retail sale in the state. An auction permitee is required to provide the bureau with at least 30 days notice prior to an auction and provide a list of the wines subject to bidding. Under chapter 366, wine may not be auctioned to a person licensed to sell wine for off-premises or on-premises consumption.

LD 986   **An Act To Streamline Certain Regulations on Small Distilleries**   **Accepted Majority (ONTP) Report**

Sponsor(s)	Committee Report	Amendments Adopted
BECK	ONTP	
	OTP-AM	

This bill allows a small distillery that produces less than 25,000 gallons of spirits per year to fulfill the provision of law requiring the distillery to sell its product to the State by accounting for spirits it sells or provides as samples on the premises of the distillery without being required to transport those spirits from the distillery by filing a monthly accounting with the Department of Administrative and Financial Services, Bureau of Alcoholic Beverages and Lottery Operations of the spirits sold or provided on the premises for that month and paying the difference between