

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**

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STATE OF MAINE

127TH 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 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.

Joint Standing Committee on Veterans and Legal Affairs

LD 1183 An Act To Strengthen the Craft Distillery Industry in Maine

ONTP

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

This bill caps the tax the Department of Administrative and Financial Services, State Liquor and Lottery Commission may levy on spirits produced by a distillery in the State that distills 50,000 gallons per year or less at no more than 18% of the price the State pays the distillery for the spirits. The bill requires that the distillery must use state-grown products, not including water, as a majority of the spirits' substrate, which is the sugary mixture from which alcohol or spirits are distilled.

LD 1189 An Act To Make Certain Local Primaries Nonpartisan

ONTP

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

This bill creates an open, nonpartisan petition and primary process for nomination of candidates for election to the positions of register of probate, district attorney and sheriff. If more than two candidates are qualified for an office through the petition process, an open primary is held in which all voters, regardless of party affiliation, are eligible to vote. The two candidates getting the highest number of votes are then nominated to appear on the general election ballot. If two or fewer candidates are qualified through the petition process, no primary is held and those candidates appear on the general election ballot.

LD 1192 An Act Regarding Campaign Finance Reform

**Died Between
Houses**

<u>Sponsor(s)</u>	<u>Committee Report</u>	<u>Amendments Adopted</u>
THIBODEAU	ONTP OTP-AM	

This bill requires public disclosure of political contributions of \$250,000 or more during a biennial election cycle by persons to a state-based political action committee, party committee, ballot question committee or candidate. It requires the Commission on Governmental Ethics and Election Practices to provide a voluntary pledge form to political action committees on which they may pledge not to spend money in a Maine Clean Election Act candidate's race and also to post on its publicly accessible website the names of political action committees and the names of an officer of each political action committee and each political action committee's top donor. It amends the law governing political communications to require disclosure of the two highest contributors to a person purchasing a political communication if any such contributor has contributed within the past year at least \$10,000 to the person. It requires that a communication by direct mail of 200 pieces or more must contain, in addition to the authorization and name and address required under current law, the names of individuals or businesses that have made aggregate donations of \$200,000 or more within the past year to the person making the communication. It requires a political action committee that transfers over \$25,000 in the aggregate during a biennial election cycle to another political action committee to pay a fee of one-quarter of that aggregate amount to the Maine Clean Election Fund. It also requires a labor union to send a letter to each of its members within three weeks of an election for Governor, State Senator or State Representative stating which state-based political action committees, party

Joint Standing Committee on Veterans and Legal Affairs

committees, ballot question committees and candidates the labor union contributed to during the previous biennial election cycle and the total amount of money contributed to each entity and candidate and allows a member to bring suit when a labor union fails to do so.

Committee Amendment "A" (S-154)

This amendment, which is the minority report of the committee, strikes all of the sections of the bill except for the provision that requires the Commission on Governmental Ethics and Election Practices to provide a form to political action committees on which the treasurer or principal officer of a political action committee pledges not to spend money in a Maine Clean Election Act candidate's race. The amendment also clarifies that the pledge is voluntary.

LD 1197 An Act To Allow Certificate of Approval Holders under the Liquor Licensing Laws To Donate Alcohol to Nonprofit Organizations

PUBLIC 214

<u>Sponsor(s)</u>	<u>Committee Report</u>	<u>Amendments Adopted</u>
SAVIELLO BLACK	OTP-AM	S-152

This bill allows certificate of approval holders under the liquor licensing laws to donate a gift certificate to purchase their products or donate their products to an incorporated civic organization for use by the organization as a prize, gift or award. It also allows alcohol producers and wholesalers to provide their products, free of charge or at a reduced price, to a licensee to be served at a licensed on-premises event for the benefit of an incorporated civic organization.

Committee Amendment "A" (S-152)

This amendment replaces the bill. The amendment provides examples of charitable or civic purposes within the definition of "incorporated civic organization." Like the bill, the amendment provides that manufacturers and wholesalers may donate malt liquor, wine or spirits to be used as prizes or for auctions to public broadcasting stations, incorporated civic organizations and national organizations with similar purposes to an incorporated civic organization that are 501(c)(3) organizations. Unlike the bill, the amendment provides that these donations may be made without having to provide the donation in the form of a gift card good for the purchase of the alcoholic beverage. The amendment also changes current law by stating that donations may be made to a person who is licensed to serve alcohol for on-premises consumption when the alcohol is being served at an event to benefit an incorporated civic organization in the State or a similarly purposed national 501(c)(3) organization. Current law allows for those donations only to a public broadcasting station or an incorporated civic organization in the State. The amendment also provides that a manufacturer or wholesaler licensed by the Department of Administrative and Financial Services, Bureau of Alcoholic Beverages and Lottery Operations to conduct a special taste-testing event may donate its own product to be served at the event.

Finally the amendment provides that when a manufacturer or wholesaler licensed by the bureau provides product to be served at an event for a licensed incorporated civic organization where alcohol will be consumed on the premises, the manufacturer or wholesaler may serve the product that the manufacturer or wholesaler provided for the event.

Enacted Law Summary

Public Law 2015, chapter 214 provides examples of charitable or civic purposes within the definition of "incorporated civic organization." The law provides that manufacturers and wholesalers may donate malt liquor, wine or spirits to be used as prizes or for auctions to public broadcasting stations, incorporated civic organizations and national organizations with similar purposes to an incorporated civic organization that are 501(c)(3) organizations. It also provides that these donations may be made without having to provide the donation in the form of a gift card good for the purchase of the alcoholic beverage. Chapter 214 changes current law by stating that donations may be made to a person who is licensed to serve alcohol for on-premises consumption when the alcohol