

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

127TH 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 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 1357 An Act To Implement the Findings of the WhiteSand Gaming Study

ONTP

| <u>Sponsor(s)</u> | <u>Committee Report</u> | <u>Amendments Adopted</u> |
|-------------------|-------------------------|---------------------------|
| KINNEY J VOLK | ONTP | |

This bill authorizes the Department of Public Safety, Gambling Control Board to issue two casino licenses, one in the southern region of the State, which includes York County and Cumberland County, and one in the northern region of the State, which includes Penobscot County, Washington County and Aroostook County. In order to be eligible to apply for a casino license, an applicant must be awarded the privilege to submit an application pursuant to a competitive bidding process. The competitive bidding process is administered by a site location commission established by this bill. The Casino Site Location Commission consists of five members appointed by the Governor subject to review by the joint standing committee of the Legislature having jurisdiction over casino gaming and confirmation by the Senate. The bill provides that commission members may not have a conflict of interest and are prohibited from representing or being employed by gambling interests during their term on the commission and for five years after their term ends.

Under the bill, a successful bidder for a casino in the southern region of the State must propose a capital investment of at least \$250,000,000 exclusive of license fees, land acquisition and off-site improvements. The initial fee for a southern region casino is \$5,000,000 for a five year license term in addition to a \$250,000 application fee and \$100,000 investigative fee. The renewal fee for a southern region casino is \$250,000.

A successful bidder for a casino in the northern region of the State must propose a minimum capital investment of \$25,000,000 exclusive of license fees, land acquisition and off-site improvements. The initial fee for a northern region casino is \$1,000,000 for a five year license term in addition to a \$100,000 application fee and a \$100,000 investigative fee. The renewal fee for a northern region casino is \$100,000.

The bill provides factors that the commission is directed to consider when reviewing bids for the privilege to submit an application to operate a casino. Examples of those factors include: how the proposal from a bidder will result in the highest potential benefit to the State based on documented, expert market analyses, the potential of the proposed facility to serve as a tourism destination and how the proposal will preserve existing jobs and create new full-time jobs in the State. For the casino bid in the northern region, the commission is directed to consider how the proposal will provide the greatest benefit to one or all of the federally recognized Indian tribes in the State, particularly by proposing operation and ownership by one or more of the tribes.

Finally, the bill authorizes the Joint Standing Committee on Veterans and Legal Affairs to submit a bill establishing a uniform distribution structure for slot machine and table game revenue to the Legislature.

LD 1429 An Act To Amend the Laws Regarding On-premises and Off-premises Liquor Licenses

PUBLIC 162

| <u>Sponsor(s)</u> | <u>Committee Report</u> | <u>Amendments Adopted</u> |
|-------------------|-------------------------|---------------------------|
| | | |

This bill was reported out by the Joint Standing Committee on Veterans and Legal Affairs pursuant to joint order, H.P. 954.

This bill removes the provision in law that repeals the authority for a single location, under certain conditions, to have a license to sell beer and wine for on-premises consumption in one area of the establishment and a license to

Joint Standing Committee on Veterans and Legal Affairs

sell beer and wine for off-premises consumption in a separate area of the establishment.

Enacted Law Summary

Public Law 2015, chapter 162 removes the provision in law that repeals the authority for a single location, under certain conditions, to have a license to sell beer and wine for on-premises consumption in one area of the establishment and a license to sell beer and wine for off-premises consumption in a separate area of the establishment.

LD 1436 An Act To Better Serve the Seasonal Tourist Market during the 2015 Summer Season and Early Autumn with a Pilot Program To Extend the Authorized Hours during Which Liquor May Be Served **Accepted Majority (ONTP) Report**

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

This bill establishes a pilot program that terminates October 12, 2015, Columbus Day, to extend the hours for the sale of liquor for on-premises consumption from 1 a.m. to 2 a.m.

Committee Amendment "A" (H-446)

Under the bill, on-premises licensees are permitted to sell liquor until 2 a.m. regardless of any local option decisions to the contrary. This amendment, which is the minority report of the committee, provides that a municipality may prohibit sales after 1 a.m. if the legislative body of the municipality votes for the restriction and notifies the Department of Administrative and Financial Services, Bureau of Alcoholic Beverages and Lottery Operations of that decision.

LD 1446 An Act To Authorize a Casino To Benefit Federally Recognized Indian Tribes in the State **Died Between Houses**

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

This bill was reported out by the Joint Standing Committee on Veterans and Legal Affairs pursuant to Resolve 2013, chapter 111, section 3. The bill establishes a competitive bid process for a casino in either Washington County or Aroostook County, the operation of which is stated to maximize economic and employment benefits for the four federally recognized Indian tribes in the State. The bill establishes the Casino Development Commission, which is an independent board of five members appointed by the Governor and confirmed by the Senate. The commission's purpose is to develop a request for proposals for the privilege to submit an application to the Gambling Control Board for a casino operator license. Prior to the commission's submitting a request for proposals for a casino operator license in either Washington County or Aroostook County, voters would have to approve the operation of a casino by a countywide referendum. The referendum must be held on the same date as a statewide election and no sooner than June 1, 2016 and no later than July 1, 2017. The fee to submit a bid to the commission is \$100,000.

The bill provides for specific supporting information to be submitted by the bidder and considered by the commission including the bidder's ability to make a minimum \$20,000,000 capital investment in the casino and partnership with at least two federally recognized Indian tribes in the State.

Under the bill, the commission is directed to develop a point system for the factors to be considered in evaluating proposals and give priority to proposals that maximize the employment and economic benefits to federally