

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
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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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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

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recognized Indian tribes in the State. The winning bidder must enter into a contract with the commission that obligates the casino operator to abide by the proposals made in the winning bid. Failure to abide by the terms of the contract could result in financial penalties to the operator.

The license fee for a casino under the bill is \$1,000,000 for a five year term with a renewal fee of \$100,000.

The bill sets the distribution of net slot machine revenue for the casino at 46% and sets the distribution of net table game revenue for the casino at 16%. The bill authorizes the Joint Standing Committee on Veterans and Legal Affairs to submit legislation establishing a distribution of the slot machine and table game revenue required to be paid by the casino.

LD 1449 An Act To Amend the State Election Laws

PUBLIC 350

Sponsor(s)

Committee Report

Amendments Adopted

S-336 CYRWAY

This bill was reported out of the Joint Standing Committee on Veterans and Legal Affairs pursuant to joint order, S.P. 551.

This bill makes the following changes to the election laws.

1. It allows the Secretary of State to accept voted absentee ballots from uniformed service voters and overseas voters by an electronic means authorized by the Secretary of State.
2. It allows for the connection of individual voting devices to a central server operated or managed by the Secretary of State for voting systems equipped for individuals with disabilities by other than a wired, point-to-point telephone connection.
3. It allows for the use of the Internet to provide a ballot-marking system or software that is used for voters with disabilities, uniformed service voters or overseas voters to mark a ballot and transmit the marked ballot online, as long as the system or software does not tabulate the ballots or transmit the ballot tabulations online.

Senate Amendment "A" (S-336)

This amendment amends the laws governing campaign finance and the Commission on Governmental Ethics and Election Practices.

1. Current law requires a traditionally financed legislative candidate to file a declaration stating whether or not the candidate will accept voluntary spending limits. This amendment makes that filing optional.
2. It provides an exemption from filing primary election campaign finance reports for legislative candidates who file a sworn statement with the commission stating that they will not conduct financial activity for the primary election. This exemption is available only to candidates with no opponent in the primary election and does not exempt candidates from filing campaign finance reports for the general election.
3. Under current law a person, party committee or political action committee must file a report when making an independent expenditure in excess of \$100 in a candidate's campaign. This amendment raises that threshold for reporting to \$250.

Enacted Law Summary

Public Law 2015, chapter 350 makes changes to the laws governing elections and the laws governing campaign