

# MAINE STATE LEGISLATURE

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**STATE OF MAINE**  
127<sup>TH</sup> LEGISLATURE  
SECOND 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

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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 Second Regular Session of the 127<sup>th</sup> 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 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 127<sup>th</sup> Legislature is July 29, 2016. 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*

This amendment was not adopted.

**LD 1331 An Act To Provide Enhanced Enforcement of the Laws Governing Alcoholic Beverages**

**Died On Adjournment**

<u>Sponsor(s)</u>	<u>Committee Report</u>	<u>Amendments Adopted</u>
LUCHINI L CYRWAY S	OTP-AM	H-373

This bill was reported out of committee in the prior session and then carried over on the Special Appropriations Table.

This bill provides a definition of "liquor inspector" and provides that the Director of the Bureau of Alcoholic Beverages and Lottery Operations within the Department of Administrative and Financial Services may require liquor inspectors to receive law enforcement training as a condition of employment. The bill also requires the director to ensure that no less than 1/3 of the liquor inspector positions under the bureau include a requirement that the liquor inspector must complete law enforcement training.

**LD 1343 An Act To Increase Access to Postsecondary Education for Maine National Guard Members**

**Died On Adjournment**

<u>Sponsor(s)</u>	<u>Committee Report</u>	<u>Amendments Adopted</u>
FREDETTE K WHITTEMORE R	OTP-AM	H-364

This bill was reported out of committee in the prior session and then carried over on the Special Appropriations Table.

This bill provides for a tuition waiver for 100% of tuition costs at any state postsecondary education institution for qualified members of the Maine National Guard.

This bill, as amended, was incorporated into LD 1612, which was enacted as Public Law 2015, chapter 465.

**LD 1461 An Act To Allow All Manufacturers Licensed by the Bureau of Alcoholic Beverages and Lottery Operations To Provide Samples of Products to Retail Licensees**

**PUBLIC 386**

<u>Sponsor(s)</u>	<u>Committee Report</u>	<u>Amendments Adopted</u>
SAVIELLO T	OTP-AM	S-353

This bill allows any person licensed as a manufacturer by the Department of Administrative and Financial Services, Bureau of Alcoholic Beverages and Lottery Operations to give a retail licensee samples of malt liquor and wine. Current law restricts this practice to small breweries, small wineries and wholesalers.

**Committee Amendment "A" (S-353)**

The bill authorizes any person licensed as a manufacturer of malt liquor or wine by the Department of Administrative and Financial Services, Bureau of Alcoholic Beverages and Lottery Operations to give a retail licensee samples of malt liquor and wine. This amendment clarifies that the authorized manufacturer is licensed to

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manufacture malt liquor or wine.

### Enacted Law Summary

Public Law 2015, chapter 386 authorizes any person licensed as a manufacturer of malt liquor or wine by the Department of Administrative and Financial Services, Bureau of Alcoholic Beverages and Lottery Operations to give a retail licensee samples of malt liquor and wine.

#### LD 1462 An Act Regarding the Sale of Alcohol by a Manufacturer with an On-premises Retail License

Died Between Houses

<u>Sponsor(s)</u>	<u>Committee Report</u>	<u>Amendments Adopted</u>
SAVIELLO T	ONTP OTP-AM	S-355

Current law allows a manufacturer of spirits, wine or malt liquor that obtains a retail license to sell the manufacturer's products as well as other liquor on the premises of that manufacturer.

This bill allows a manufacturer with a retail license to also sell its products for consumption off the premises of that manufacturer without the licensed premises being physically separated for on-premises and off-premises sales and without physically separating the inventory, as long as adequate records are maintained. This bill also allows breweries, small breweries, wineries, small wineries, distilleries or small distilleries under common ownership to transfer products from one premises to another and sell or serve those transferred products.

#### Committee Amendment "A" (S-355)

This amendment replaces the bill. This amendment clarifies existing law that permits a person that is licensed to manufacture malt liquor, wine or spirits at a facility in the State to sell the product that person produces from the manufacturing facility for off-premises consumption without having to get a separate off-premises retail license.

The amendment specifies that the location of the manufacturing facility where off-premises sales of the manufacturer's product occur is not required to be accessed by a separate entrance from the area of the facility that is licensed to serve alcoholic beverages for on-premises consumption.

The amendment clarifies that distilleries and small distilleries are subject to the existing law that requires spirits sold at retail to first be listed for sale and distributed by the State.

Finally, the amendment adds a provision reflecting federal law that permits a manufacturer who manufactures at multiple licensed locations to transport the manufacturer's own product between those locations.

#### LD 1466 An Act Regarding Sales Representatives Employed by Licensed Wholesalers

PUBLIC 387

<u>Sponsor(s)</u>	<u>Committee Report</u>	<u>Amendments Adopted</u>
PATRICK J LUCHINI L		S-357

This bill exempts from licensing by the Department of Administrative and Financial Services, Bureau of Alcoholic Beverages and Lottery Operations a sales representative who is employed by a distributor and who does not participate in product sampling or tasting events with the public.

#### Committee Amendment "A" (S-357)