

# MAINE STATE LEGISLATURE

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**STATE OF MAINE**  
128<sup>TH</sup> 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

128<sup>TH</sup> 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 128<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 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 128<sup>th</sup> Legislature is Wednesday, November 1, 2017. 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 1077 An Act To Reduce the License Fee for High-stakes Beano**

**PUBLIC 233**

<u>Sponsor(s)</u>	<u>Committee Report</u>	<u>Amendments Adopted</u>
DANA M	OTP-AM ONTP	H-366

This bill authorizes the Department of Public Safety, Gambling Control Board to accept an application from the Passamaquoddy Tribe to operate 50 slot machines at a gaming facility in Washington County at which high-stakes beano is conducted by the Passamaquoddy Tribe. The bill raises the limit on the number of slot machines allowed in the State by 50 to accommodate the slot machines that may be operated by the Passamaquoddy Tribe. Slot machines operated by the Passamaquoddy Tribe would be subject to the oversight of the Gambling Control Board and subject to the same laws and rules as other slot machines operated in this State.

It also reduces the annual license fee for high-stakes beano from \$50,000 to \$25,000 and allows the Passamaquoddy Tribe to operate 50 slot machines in the tribe's high-stakes beano facility.

**Committee Amendment "A" (H-366)**

This amendment, which is the majority report, changes the title of the bill and strikes the emergency preamble and emergency clause from the bill and all of the provisions that authorize the operation of slot machines at a facility where high-stakes beano is conducted by the Passamaquoddy Tribe. The amendment retains the provision that reduces the license fee for high-stakes beano, except that the amendment reduces the annual fee to \$5,000. The amendment also provides that fees collected from any one federally recognized Indian tribe in the State for the operation of high-stakes beano may not exceed \$5,000 in calendar year 2017.

**Enacted Law Summary**

Public Law 2017, chapter 233 reduces the annual license fee for high-stakes beano from \$50,000 to \$5,000. It also provides that fees collected from any one federally recognized Indian tribe in the State for the operation of high-stakes beano may not exceed \$5,000 in calendar year 2017.

**LD 1086 An Act To Amend the Laws on the Conduct of Elections and To Establish a Nonpartisan Primary Election System for State and Federal Candidates**

**Accepted Majority (ONTP) Report**

<u>Sponsor(s)</u>	<u>Committee Report</u>	<u>Amendments Adopted</u>
RYKERSON D GRATWICK G	ONTP OTP-AM	

This bill amends the election laws to create a nonpartisan primary process for the election of Legislators, United States Senators, Representatives to Congress and other state and county officers.

The bill also amends the laws on the conduct of elections by requiring that a sample ballot be provided with an absentee ballot and that a sample ballot be posted in or near each voting booth on election day. It also removes the requirement that a voter must file an application to change party enrollment prior to January 1st to be eligible to file a petition as a candidate in that election year.

**Committee Amendment "A" (H-527)**

This amendment, which is the minority report, adds provisions to the bill that specify that primaries are held for the

***Joint Standing Committee on Veterans and Legal Affairs***

purpose of selecting two candidates to be placed on the general election ballot for the offices of United States Senator, Representative to Congress, Governor, State Senator and Representative to the Legislature. Primary candidates placed on the general election ballot for an office are the two candidates who received the highest number of votes. The bill provides that voters may participate in a primary election for these offices regardless of party enrollment. The amendment adds provisions inadvertently omitted from the bill that are consistent with the proposal to establish a nonpartisan primary election for state and federal offices. The amendment also adds an appropriations and allocations section to the bill.

This amendment was not adopted.

**LD 1102      An Act To Discourage Tenants from Damaging Rental Property      ONTP**

<u>Sponsor(s)</u>	<u>Committee Report</u>	<u>Amendments Adopted</u>
WADSWORTH N CUSHING A	ONTP	

This bill creates the Class E crime of unlawful damage by a tenant if at the termination of a tenancy a rental unit has sustained over \$1,000 worth of damage over the amount of the security deposit and the tenant does not pay the landlord within 60 days' notice by the landlord of the damage. A 2nd or subsequent offense is a Class D crime.

**LD 1103      An Act To Require Correction of False Information Distributed in a Campaign      ONTP**

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

This bill requires the Commission on Governmental Ethics and Election Practices, upon complaint made by a candidate for Governor, State Senate or State House of Representatives, to investigate an allegation that a person distributed factually incorrect information about that candidate. If the commission determines that a person distributed factually incorrect information about a candidate, the commission must impose a fine of \$10,000 on that person and that person must distribute a correction of the factually incorrect information in the same manner as the factually incorrect information was distributed.

**LD 1107      An Act To Allow Municipalities To Adjust Times of Operation for Establishments That Serve Alcohol      Died Between Houses**

<u>Sponsor(s)</u>	<u>Committee Report</u>	<u>Amendments Adopted</u>
PARRY W DION M	OTP-AM ONTP	

This bill allows a municipality to extend the time for the sale or delivery of liquor by licensed establishments by one hour, by either opening earlier than 5 a.m. or closing later than 1 a.m., within that municipality. This bill also allows a municipality to extend by one hour, to 2:15 a.m., the permitted consumption or possession of liquor in licensed establishments. In order to extend the time of operation, consumption or possession, the legislative body of that municipality must vote to extend by one hour the sale or consumption or possession of liquor at establishments licensed for on-premises consumption within the municipality; the municipality must have a full-time police department or contract with the county sheriff or State Police to provide coverage during the extended hour of operation; and the municipality must notify the Department of Administrative and Financial Services, Bureau of