

MAINE STATE LEGISLATURE

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STATE OF MAINE
128TH LEGISLATURE
FIRST SPECIAL, SECOND REGULAR AND SECOND SPECIAL SESSIONS



Summaries of bills, adopted amendments and laws enacted or finally passed

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AFFAIRS**

October 2018

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STATE OF MAINE

128TH LEGISLATURE

FIRST SPECIAL, SECOND REGULAR AND SECOND SPECIAL SESSIONS



LEGISLATIVE DIGEST OF BILL SUMMARIES AND ENACTED LAWS

This *Legislative Digest of Bill Summaries and Enacted Laws* contain summaries of all LDs and adopted amendments and all laws enacted or finally passed during the First Special, Second Regular and Second Special Sessions of the 128th 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 dates for non-emergency legislation enacted in the First Special, Second Regular or Second Special Sessions of the 128th Legislature are: Monday, February 5, 2018; Wednesday, August 1, 2018; and Thursday, December 13, 2018, respectively. 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 1780 An Act To Transfer Funds to the Maine Clean Election Fund To Provide Adequate Funding for Maine Clean Election Fund Candidates Died On Adjournment

<u>Sponsor(s)</u>	<u>Committee Report</u>	<u>Amendments Adopted</u>
	OTP-AM ONTP	H-665

This bill was carried over on the Special Appropriations Table from the Second Regular Session to the next special session by joint order S.P. 748.

This bill provides funding to the Maine Clean Election Fund in order to ensure that adequate funds are available to candidates participating in the Maine Clean Election Act.

Committee Amendment "A" (H-665)

This amendment reduces the appropriation to the Maine Clean Election Fund proposed in the bill from \$1,700,000 to \$700,000.

LD 1786 An Act Regarding Maine's Liquor Laws PUBLIC 347

<u>Sponsor(s)</u>	<u>Committee Report</u>	<u>Amendments Adopted</u>
LUCHINI L	OTP-AM	H-619

This bill clarifies provisions in existing law authorizing a licensed manufacturer to hold a license for a retail establishment where liquor is consumed on the premises. The bill also repeals a provision that requires the Department of Administrative and Financial Services, Bureau of Alcoholic Beverages and Lottery Operations to establish rules for the separation of areas where the privilege of a liquor license may be exercised from where it may not be exercised.

Committee Amendment "A" (H-619)

This amendment provides that distilled spirits may be donated to charitable organizations by both in-state and out-of-state manufacturers. It also clarifies how those donations are processed by the State or the State's wholesale liquor provider. This amendment provides that a manufacturer in the State is entitled to have a retail license under the Maine Revised Statutes, Title 28-A, chapter 43 per licensed manufacturing location, either on the premises of the manufacturing facility or at another location. The amendment also clarifies that liquor sold under a retail license issued pursuant to chapter 43 may not be consumed on any part of the premises where patrons are not generally permitted.

Enacted Law Summary

Public Law 2017 c. 347 amends provisions in the liquor laws authorizing a licensed manufacturer to hold a license for a retail establishment where liquor is consumed on the premises. It clarifies that a manufacturer may also hold a license for an establishment licensed to sell liquor for consumption on the premises, under Title 28-A, Chapter 43 as long as the same person or persons have a controlling interest in both. The Chapter 43 license may be sited at the manufacturing facility location or at another location. It also clarifies that the manufacturing facility and the Chapter 43 establishment may be accessed by the same entrance. It also provides that liquor sold under the Chapter 43 license may not be consumed on any part of the premises where patrons are not generally permitted.

It repeals a provision that requires the Department of Administrative and Financial Services, Bureau of Alcoholic

Joint Standing Committee on Veterans and Legal Affairs

Beverages and Lottery Operations to establish rules for the separation of areas where the privilege of a liquor license may be exercised from where it may not be exercised.

Chapter 347 provides that distilled spirits may be donated to charitable organizations by both in-state and out-of-state manufacturers. It also clarifies how those donations are processed by the State or the State's wholesale liquor provider.

**LD 1802 *Resolve, Regarding Legislative Review of Portions of Chapter 3: Maine Clean Election Act and Related Provisions, a Major Substantive Rule of the Commission on Governmental Ethics and Election Practices* **RESOLVE 37
EMERGENCY****

<u>Sponsor(s)</u>	<u>Committee Report</u> OTP	<u>Amendments Adopted</u>
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This resolve provides for legislative review of portions of Chapter 3: Maine Clean Election Act and Related Provisions, a major substantive rule of the Commission on Governmental Ethics and Election Practices.

Enacted Law Summary

Resolves 2017 chapter 37 authorizes the final adoption of major substantive rules provisionally adopted by the Commisison on Governmental Ethics and Election Practices governing the Maine Clean Election Act.

Resolves 2017 chapter 37 was finally passed as an emergency measure effective April 1, 2018.

**LD 1803 *Resolve, Regarding Legislative Review of Chapter 28: Advanced Deposit Wagering, a Major Substantive Rule of the Gambling Control Board* **RESOLVE 45
EMERGENCY****

<u>Sponsor(s)</u>	<u>Committee Report</u> OTP	<u>Amendments Adopted</u>
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This resolve provides for legislative review of Chapter 28: Advanced Deposit Wagering, a major substantive rule of the Gambling Control Board.

Enacted Law Summary

Resolves 2017 chapter 45 authorize the final adoption of major substantive rules provisionally adopted by the Department of Public Safety, Gambling Control Unit governing advance deposit wagering on horse races.

Resolves 2017, chapter 45 was finally passed as an emergency measure effective April 10, 2018.

**LD 1837 *An Act To Allow Cash Prizes for Certain Raffles Conducted by Charitable Organizations* **PUBLIC 365
EMERGENCY****

<u>Sponsor(s)</u> KATZ R LUCHINI L	<u>Committee Report</u> OTP-AM	<u>Amendments Adopted</u> S-378
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Current law allows an eligible organization that has registered with the Gambling Control Unit within the Department of Public Safety to conduct one raffle in a 12-month period awarding noncash prizes up to \$75,000 in