

MAINE STATE LEGISLATURE

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STATE OF MAINE
129TH LEGISLATURE
FIRST REGULAR SESSION



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

**JOINT STANDING COMMITTEE ON
VETERANS AND LEGAL AFFAIRS**

August 2019

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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 First Regular Session of the 129th 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 129th Legislature is Thursday, September 19, 2019. 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 253 An Act To Clarify the Requirements for High-hand Competitions in
Games of Chance Tournament Games**

PUBLIC 119

<u>Sponsor(s)</u>	<u>Committee Report</u>	<u>Amendments Adopted</u>
BELLOWS S HICKMAN C	OTP-AM	S-64

This bill removes the \$5 bet limit for a winner-take-all hand that is conducted during a tournament involving a card game that is a game of chance.

Committee Amendment "A" (S-64)

This amendment replaces the bill and changes the title. It removes the authority in current law for one winner-take-all-hand to be conducted during a tournament involving a card game that is a game of chance and instead authorizes licensees to conduct one high-hand competition per tournament. Under the amendment, a "high-hand competition" is defined as an optional game of chance conducted during a tournament game in which the winner is the person who plays the highest hand of cards, according to the rules of the tournament, during the tournament game. Participation in the high-hand competition must be determined prior to the start of the tournament and the total number of bets received in a high-hand competition must be awarded to the winner or, in the case of multiple winners, divided among them as evenly as possible.

The amendment also authorizes the payment of tournament game prizes and high-hand competition prizes either in cash or by check.

Enacted Law Summary

Public Law 2019, chapter 119 removes the authority in current law for one winner-take-all-hand to be conducted during a tournament involving a card game that is a game of chance and instead authorizes licensees to conduct one high-hand competition per tournament. A "high-hand competition" is defined as an optional game of chance conducted during a tournament game in which the winner is the person who plays the highest hand of cards, according to the rules of the tournament, during the tournament game. Participation in the high-hand competition must be determined prior to the start of the tournament and the total number of bets received in a high-hand competition must be awarded to the winner or, in the case of multiple winners, divided among them as evenly as possible.

Public Law 2019, chapter 119 also authorizes the payment of tournament game prizes and high-hand competition prizes either in cash or by check.

**LD 254 An Act To Clarify Liquor Label Approval and Registration
Requirements**

PUBLIC 46

<u>Sponsor(s)</u>	<u>Committee Report</u>	<u>Amendments Adopted</u>
DILL J DUNPHY M	OTP-AM	S-27

This bill requires that all malt liquor, wine and low-alcohol spirits products imported to, exported from or sold in Maine bear a label approved by the United States Department of the Treasury, Alcohol and Tobacco Tax and Trade Bureau unless the malt liquor, wine or low-alcohol spirits products are manufactured in Maine and are not shipped, distributed or sold in interstate commerce.

The bill also requires manufacturers to register the labels of all malt liquor, wine and low-alcohol spirits products sold in the State with the Department of Administrative and Financial Services, Bureau of Alcoholic Beverages and

Joint Standing Committee on Veterans and Legal Affairs

Lottery Operations unless the malt liquor, wine or low-alcohol spirits products are sold by a Maine manufacturer directly to consumers for on-premises consumption or in a keg to a Maine retailer licensed to sell liquor for on-premises consumption. The Bureau of Alcoholic Beverages and Lottery Operations is required to adopt rules establishing requirements for label registration that are consistent with the regulations promulgated by the United States Department of the Treasury, Alcohol and Tobacco Tax and Trade Bureau pursuant to the Federal Alcohol Administration Act, 27 United States Code, Section 205(e).

Committee Amendment "A" (S-27)

This amendment clarifies that the liquor label approval and registration requirements in the bill apply to hard cider as well as to malt liquor, wine and low-alcohol spirits products.

The amendment further exempts Maine manufacturers from the requirement to register the labels of all malt liquor, wine, hard cider and low-alcohol spirits products with the Department of Administrative and Financial Services, Bureau of Alcoholic Beverages and Lottery Operations if those products are given as complimentary samples to consumers or sold to customers as samples.

Enacted Law Summary

Public Law 2019, chapter 46 requires that all malt liquor, wine, hard cider and low-alcohol spirits products imported to, exported from or sold in Maine bear a label approved by the United States Department of the Treasury, Alcohol and Tobacco Tax and Trade Bureau unless the malt liquor, wine, hard cider or low-alcohol spirits products are manufactured in Maine and are not shipped, distributed or sold in interstate commerce.

Public Law 2019, chapter 46 also requires manufacturers to register the labels of all malt liquor, wine, hard cider and low-alcohol spirits products sold in the State with the Department of Administrative and Financial Services, Bureau of Alcoholic Beverages and Lottery Operations unless the malt liquor, wine, hard cider or low-alcohol spirits products are given by a Maine manufacturer directly to consumers as complimentary samples or sold by a Maine manufacturer directly to consumers for on-premises consumption or in a keg to a Maine retailer licensed to sell liquor for on-premises consumption. The Bureau of Alcoholic Beverages and Lottery Operations is required to adopt rules establishing requirements for label registration that are consistent with the regulations promulgated by the United States Department of the Treasury, Alcohol and Tobacco Tax and Trade Bureau pursuant to the Federal Alcohol Administration Act, 27 United States Code, Section 205(e).

LD 255	Resolution, Proposing an Amendment to the Constitution of Maine To Require That Signatures on a Direct Initiative of Legislation Come from Each Congressional District	Died Between Houses
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<u>Sponsor(s)</u>	<u>Committee Report</u>	<u>Amendments Adopted</u>
FARRIN B STETKIS J	OTP-AM ONTP	S-247

This resolution proposes to amend Article IV, part 3, section 18 of the Constitution of Maine to require that the signatures on a petition to directly initiate legislation be collected from each of the State's two congressional districts; the number of signatures collected from each congressional district must be not less than 10% of the total vote for Governor cast in that congressional district in the previous gubernatorial election. The resolution further provides that, if the resolution is ratified by the voters, this constitutional amendment becomes part of the Constitution of Maine on March 1, 2020. Compare LD 374.

Committee Amendment "A" (S-247)

This amendment, which is the majority report of the committee, incorporates a fiscal note.