

MAINE STATE LEGISLATURE

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STATE OF MAINE
129TH LEGISLATURE
FIRST SPECIAL AND SECOND REGULAR SESSIONS



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

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

November 2020

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*Committee member for a portion of the session

STATE OF MAINE

129TH LEGISLATURE
FIRST REGULAR SESSION



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.

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Enacted Law Summary

Public Law 2019, chapter 539 provides that general elections for presidential electors must be determined by ranked-choice voting.

Public Law 2019, chapter 539 also provides that the votes cast at primary elections for the office of President of the United States must be tabulated by ranked-choice voting, although the selection and allocation of delegates to a party's national presidential nominating convention must be in accordance with any reasonable procedures established at the state party convention. The presidential primary provisions of Public Law 2019, chapter 539 were made contingent on enactment of a law adopting a presidential primary in the State, a contingency that was met through the enactment of Public Law 2019, chapter 445 (LD 1626) in the First Regular Session.

LD 1144 An Act To Authorize Tribal Gaming

CARRIED OVER

<u>Sponsor(s)</u>	<u>Committee Report</u>	<u>Amendments Adopted</u>
COLLINGS B CARPENTER M		

This bill was carried over in committee from the First Regular Session of the 129th Legislature by joint order, H.P. 1322.

This bill increases by 1,500 the number of slot machines that may be registered in the State and authorizes the Department of Public Safety, Gambling Control Board to accept an application for a casino operator license from a joint tribal entity authorizing the joint tribal entity to operate table games and slot machines at one casino owned by the joint tribal entity. "Joint tribal entity" is defined as a legal entity formed for the purpose of operating slot machines and table games at one casino, the entire ownership of which is held equally, either jointly or in common, by the Passamaquoddy Tribe, the Penobscot Nation, the Aroostook Band of Micmacs and the Houlton Band of Maliseet Indians.

The bill provides the following in regard to the casino.

1. It specifies that, as a condition of a joint tribal entity's receiving a license, a casino must be located:
 - A. On land that on January 1, 2019 was owned by the Passamaquoddy Tribe, the Penobscot Nation, the Aroostook Band of Micmacs or the Houlton Band of Maliseet Indians or land held in trust by the United States or by any other person or entity for the Passamaquoddy Tribe, the Penobscot Nation, the Aroostook Band of Micmacs or the Houlton Band of Maliseet Indians;
 - B. On land located in the unorganized territory; or
 - C. On land in a municipality and that municipality approves of the operation of the casino in that municipality, either by vote of its legislative body or in a referendum of the voters of the municipality.
2. It exempts a casino licensed to a joint tribal entity from the provision in current law that prohibits a new casino or slot machine facility from being located within 100 miles of an existing casino or slot machine facility. It provides that a casino licensed to a joint tribal entity may not be located within 50 miles of an existing facility.
3. It provides that a change in the composition of a joint tribal entity does not invalidate a casino license issued to the entity as long as the change occurs no sooner than six months after the license is issued and the entity still consists of at least two federally recognized Indian tribes in the State who own equal shares of the entity in its

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entirety.

4. It changes the provision in current law that states that distributions of net slot machine revenue from the casino located in Oxford County to the Penobscot Nation and the Passamaquoddy Tribe revert to the operator if one or both tribes operate or receive distributions from a newly licensed casino. It provides that the distribution of that slot machine revenue would instead be deposited into the General Fund if either the Penobscot Nation or the Passamaquoddy Tribe operated or received distributions from a newly licensed casino.

5. It establishes a distribution rate of 25% of net slot machine income and 16% of net table game income for a casino operator that is a joint tribal entity. The slot machine income is used to fund education for kindergarten to grade 12 and the table game income is deposited to the General Fund.

This bill, which had not yet been voted by the committee was carried over in committee for the second time to any special session of the 129th Legislature by joint order, S.P. 788.

LD 1187 An Act To Apply the Same Auditing Standards to All Legislative Candidates

CARRIED OVER

<u>Sponsor(s)</u>	<u>Committee Report</u>	<u>Amendments Adopted</u>
RISEMAN W CHENETTE J	OTP-AM ONTP	H-313

This bill was reported out of committee and then carried over from the First Regular Session of the 129th Legislature on the Special Appropriations Table by joint order, H.P. 1322.

This bill directs the Commission on Governmental Ethics and Election Practices to conduct random audits of political action committees that are required to file campaign finance reports with the commission and candidates for state office, including candidates for Governor, State Senator, State Representative and presidential elector. The bill directs the commission to adopt rules to implement this requirement. The rules must direct the commission to audit an equal percentage of candidates for state office who are certified as Maine Clean Election Act candidates, candidates for state office who are not certified as Maine Clean Election Act candidates and political action committees. The rules must also establish standard auditing requirements to be applied to each candidate and political action committee.

Committee Amendment "A" (H-313)

This amendment, which is the majority report of the committee, strikes and replaces the bill and its title. Under current practice, the Commission on Governmental Ethics and Election Practices uses funding from the Maine Clean Election Fund established in the Maine Revised Statutes, Title 21-A, section 1124 to contract with independent auditors to conduct random post-election audits of 20% of the legislative candidates who are certified as Maine Clean Election Act candidates. The amendment provides an ongoing General Fund appropriation to the Commission on Governmental Ethics and Election Practices to contract with independent auditors to conduct random post-election audits of 20% of legislative candidates who are not certified as Maine Clean Election Act candidates.

This bill was again carried over, still on the Special Appropriations Table, to any special session of the 129th Legislature by joint order, S.P. 788.