

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**

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STAFF:

JANET STOCCO, LEGISLATIVE ANALYST
DANIEL TARTAKOFF, LEGISLATIVE ANALYST
OFFICE OF POLICY AND LEGAL ANALYSIS
13 STATE HOUSE STATION
AUGUSTA, ME 04333
(207) 287-1670
<http://legislature.maine.gov/legis/opla/>

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STATE OF MAINE

129TH 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 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

This bill authorizes the Department of Public Safety, Gambling Control Board to issue licenses to conduct sports wagering, including online sports wagering, to persons or federally recognized Indian tribes licensed to operate casinos, commercial tracks or off-track betting facilities. The board may issue licenses to operate only online sports wagering to federally recognized Indian tribes that are not licensed to operate casinos, commercial tracks or off-track betting facilities.

Under the bill, "sports wagering" is defined as any device or system established for the acceptance of wagers on a sports event by any system or method of wagering. Sports wagering operators may accept wagers on all professional or amateur sports events except high school sports events, other events in which a majority of the participants are minors and competitive video game events. Sports wagering operators may not accept wagers from persons whose identity they cannot verify; persons under 21 years of age; the director, officers and employees of the sports wagering operator and relatives living in the same household as those persons; athletes, coaches, referees and umpires participating in the sports event; other interested persons if the sports event upon which the wager is placed is overseen by the person's league or sports governing body; persons with confidential information that could affect the outcome of the sports event; persons who are on a list of prohibited persons established by the board, including persons who voluntarily request to be prohibited from making sports wagers; and persons who make wagers on behalf of another person.

The bill requires the board to adopt rules regulating the conduct of sports wagering, including rules restricting the types of wagers permitted, establishing the maximum wagers that may be accepted from any one person on a single sports event, regulating the design and minimum security standards for in-person sports wagering lounges located within casino, commercial track or off-track betting facilities and establishing record keeping, reporting and auditing requirements. The bill also requires the board to adopt rules further regulating the conduct of online sports wagering, including rules regulating the servers and other equipment used to conduct sports wagering online, establishing methods for verifying the identity and age of persons placing wagers online and prohibiting the acceptance of wagers from outside the State as required by federal law.

The bill further requires that 1% of net sports wagering income be used for administrative expenses of the board and 24% of net sports wagering income be credited by the Treasurer of State to the Department of Education for essential programs and services for kindergarten to grade 12.

Finally, the bill provides that the laws governing unlawful gambling and games of chance do not apply to sports wagering operators that comply with the laws governing sports wagering.

Selected portions of this bill were incorporated in the committee amendments to LD 553.

LD 1357

An Act Regarding State Licensure for the Sale of Spirits for Off-premises Consumption

Accepted Majority (ONTP) Report

| <u>Sponsor(s)</u> | <u>Committee Report</u> | <u>Amendments Adopted</u> |
|-------------------|-------------------------|---------------------------|
| FECTEAU R | ONTP OTP-AM | |

This bill repeals the law that establishes a limit on the number of agency stores allowed in a municipality based upon the population of the municipality and replaces it with a provision authorizing municipalities to determine the number of agency liquor stores that may be licensed within the municipality, with existing agency liquor store licenses grandfathered if the municipality authorizes a number of agency liquor stores less than the number of operating liquor stores previously licensed by the Department of Administrative and Financial Services, Bureau of Alcoholic Beverages and Lottery Operations or if the municipality does not make a determination.

Joint Standing Committee on Veterans and Legal Affairs

This bill also requires the bureau to consider, when evaluating an application for an agency liquor store license, whether the applicant is a business licensed in the municipality in which the agency liquor store will be located, has been in existence for at least the three years immediately prior to application, and has been in good standing with every agency of the State for the three years immediately prior to application.

Committee Amendment "A" (H-201)

This amendment, which is the minority report of the committee, clarifies that when the Department of Administrative and Financial Services, Bureau of Alcoholic Beverages and Lottery Operations gives public notice that any agency liquor store may be established in a particular municipality or unincorporated place, the bureau has discretion to not issue a license if, for example, the bureau determines that no applicant meets the criteria for licensure.

This amendment was not adopted.

LD 1365 RESOLUTION, Proposing an Amendment to the Constitution of Maine ONTP
To Provide for the Election of the Governor by Majority Vote

| <u>Sponsor(s)</u> | <u>Committee Report</u> | <u>Amendments Adopted</u> |
|-------------------------|-------------------------|---------------------------|
| BABBIDGE C SANBORN L | ONTP | |

This resolution proposes to amend the Constitution of Maine to require that the Governor be elected by majority vote.

LD 1372 RESOLUTION, Proposing an Amendment to the Constitution of Maine Died Between
To Ensure That Voting Rights Belong Only to Citizens in Municipal or Houses
Other Local Elections

| <u>Sponsor(s)</u> | <u>Committee Report</u> | <u>Amendments Adopted</u> |
|-------------------|-------------------------|---------------------------|
| WADSWORTH N | ONTP OTP-AM | |

This resolution proposes to amend Article II, section 1 of the Constitution of Maine to specify that only a person who is a citizen of the United States may vote in a municipal or other local election. Compare LD 186.

Committee Amendment "A" (H-530)

This amendment, which is the minority report of the committee, incorporates a fiscal note. This amendment was adopted in the Senate but not in the House.

LD 1432 An Act To Improve the Adult Use Marijuana Laws CARRIED OVER

| <u>Sponsor(s)</u> | <u>Committee Report</u> | <u>Amendments Adopted</u> |
|-------------------|-------------------------|---------------------------|
| PIERCE T | | |

This bill amends the adult use marijuana law in several ways. First, it repeals all residency requirements regarding licensure and operations as of June 1, 2021. Second, the bill clarifies that, during the first two years after the first active cultivation facility license is issued, a dispensary or caregiver may transfer both harvested marijuana and marijuana products to an adult use marijuana establishment controlled by that dispensary or caregiver during the