

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

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

Public Law 2019, chapter 167 was enacted as an emergency measure effective May 30, 2019.

LD 1621 An Act To Allow Delivery of Adult Use Marijuana and Adult Use Marijuana Products by an Approved Marijuana Store

CARRIED OVER

<u>Sponsor(s)</u>	<u>Committee Report</u>	<u>Amendments Adopted</u>
JACKSON T HANDY J		

This bill amends the Marijuana Legalization Act to allow delivery of adult use marijuana and adult use marijuana products by a marijuana store if the municipality or town, plantation or township in which the marijuana store is located authorizes the operation of delivery services and the marijuana store receives approval to operate the delivery service from the Department of Administrative and Financial Services. A marijuana store is allowed to maintain a separate storage facility approved by the department in which to store product or from which to conduct delivery service operations and which may be located in the same municipality as the retail facility of the marijuana store or another municipality subject to the approval of the other municipality. Delivery services are subject to the same testing, tracking, labeling and packaging requirements as retail sales of adult use marijuana and marijuana products, delivery service drivers are subject to the same requirements as the employees of a marijuana store, delivery recipients are subject to the same customer restrictions regarding age and state of intoxication as marijuana store customers and delivery service vehicles are subject to the same inspection requirements as the marijuana store's licensed premises and may not have an occupant under 21 years of age during the course of a delivery.

This bill was carried over to any special or regular session, or both, of the 129th Legislature by joint order, H.P. 1322.

LD 1626 An Act To Implement a Presidential Primary System in Maine

PUBLIC 445

<u>Sponsor(s)</u>	<u>Committee Report</u>	<u>Amendments Adopted</u>
LUCHINI L HICKMAN C	OTP-AM ONTP OTP-AM	S-186

This bill, which was submitted by the Secretary of State pursuant to Joint Rule 204, implements a presidential primary election to be held on the first Tuesday after the first Monday in March of the presidential election year, and provides a process for the parties to participate if they certify to the Secretary of State by November 1st of the year prior to the presidential election year that they have a contest among candidates for nomination.

Committee Amendment "A" (S-186)

This amendment, which is the majority report of the committee, strikes the provision of the bill mandating that each party's presidential primary elections are closed to any voter not enrolled in that party. Under the amendment, by December 1st of the year prior to a presidential election year, a party must notify the Secretary of State whether unenrolled voters are eligible to vote in the party's presidential primary election. The amendment also corrects cross-references in the bill.

Committee Amendment "B" (S-187)

This amendment, which is one of two minority reports of the committee, strikes the provision of the bill mandating that each party's presidential primary elections are closed to any voter not enrolled in that party. Under the amendment, an unenrolled voter may choose to vote in one party's presidential primary election. The amendment also corrects cross-references in the bill. This amendment was not adopted.

Joint Standing Committee on Veterans and Legal Affairs

Enacted Law Summary

Public Law 2019, chapter 445 implements a presidential primary election to be held on the first Tuesday after the first Monday in March of the presidential election year, and provides a process for the parties to participate if they certify to the Secretary of State by November 1st of the year prior to the presidential election year that they have a contest among candidates for nomination. By December 1st of the year prior to a presidential election year, a party must notify the Secretary of State whether unenrolled voters are eligible to vote in the party's presidential primary election.

LD 1631 RESOLUTION, Proposing an Amendment to the Constitution of Maine ONTP
Concerning Early Voting, Voting by Absentee Ballot and Voting by Mail

<u>Sponsor(s)</u>	<u>Committee Report</u>	<u>Amendments Adopted</u>
SCHNECK J MIRAMANT D	ONTP	

This resolution, which was submitted by the Secretary of State pursuant to Joint Rule 204, proposes to amend the Constitution of Maine to allow the Legislature to authorize a process to allow early voting to occur in the same manner as on election day during a period immediately preceding an election. It also allows for voting by absentee ballot by citizens for reasons deemed sufficient without requiring in the Constitution of Maine that the citizens be absent or physically incapacitated. Additionally, this resolution allows the Legislature to authorize a process of voting by mail for all citizens of the State as an alternative to voting by absentee ballot. Compare LD 619.

**LD 1633 An Act To Legalize Keno and Historical Instant Racing Accepted Majority
(ONTP) Report**

<u>Sponsor(s)</u>	<u>Committee Report</u>	<u>Amendments Adopted</u>
COLLINGS B DIAMOND B	ONTP OTP-AM	

This bill establishes a framework for the regulation of historical instant racing and keno. The bill creates a single license for the operation of historical instant racing and keno. Casinos, commercial tracks, off-track betting facilities and high-stakes beano facilities are each eligible to apply for the license, issued by the Gambling Control Board.

The bill directs the board to adopt rules governing the conduct of historical instant racing and keno, including rules related to the prevention of fraud or deception, authorized wager amounts, the maximum percentage of all wagers that may be retained by the licensee and methods for verifying that a person who makes a historical instant racing wager or who plays keno is at least 21 years of age. The bill further requires that 1% of the net income from historical instant racing and keno be used for administrative expenses of the board and that 10% of the net revenue be distributed to the Treasurer of the State to be credited to the Department of Education for essential programs and services for kindergarten to grade 12.

Committee Amendment "A" (H-535)

This amendment is the minority report of the committee. Unlike the bill, which directs that 10% of the net income from historical instant racing and keno be remitted to the State and credited to the Department of Education for essential programs and services for kindergarten to grade 12, the amendment directs that this 10% of the net income from historical instant racing and keno be deposited to the General Fund.

This amendment also adds an appropriations and allocations section.