

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.

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This amendment was not adopted.

Committee Amendment "B" (H-601)

This amendment, which is one of two minority reports of the committee, strikes the resolution and replaces it with a bill enabling a voter who submits an application to initiate proceedings for the direct initiative of legislation to request in the application that the Attorney General review the proposed law submitted with the application to determine whether it conflicts with the Constitution of Maine or the United States Constitution. If the Attorney General determines that a conflict exists, the Attorney General must provide a written opinion describing the conflict to the applicant within 15 business days after the direct initiative application was received by the Secretary of State. The applicant may submit a new draft of the proposed law to the Secretary of State in response to the written opinion.

This amendment was not adopted.

LD 1680

An Act To Authorize Common Consumption Area Licenses for the Consumption of Alcoholic Beverages within Designated Entertainment Districts

PUBLIC 281

<u>Sponsor(s)</u>	<u>Committee Report</u>	<u>Amendments Adopted</u>
SANBORN H TEPLER D	OTP-AM	S-184

This bill authorizes the issuance of auxiliary liquor licenses for the consumption of spirits, wine and malt liquor within entertainment districts authorized by and located within municipalities or unincorporated places.

Committee Amendment "A" (S-184)

This amendment makes the following changes to the process established in the bill for the issuance of licenses for the consumption of alcoholic beverages in entertainment districts.

1. It provides that an entertainment district ordinance established by a municipal legislative body must describe the boundaries of the entertainment district as well as permissible hours of operation and maximum size of any common consumption area located within the entertainment district. The ordinance must also specify the maximum number of licensees that may operate a single common consumption area and whether a common consumption area located within the entertainment district may include public or private ways.
2. It clarifies that an auditorium, hotel, restaurant, Class A restaurant, Class A restaurant/lounge or Maine manufacturer licensed under the Maine Revised Statutes, Title 28-A to serve alcoholic beverages is eligible for a common consumption area license. An applicant's premises must be located both within the entertainment district and adjacent to the common consumption area.
3. It specifies that a common consumption area license does not permit the licensee to serve alcoholic beverages that the licensee is not authorized to serve pursuant to the licensee's underlying liquor license.
4. It clarifies that the customers of a common consumption area licensee may consume alcoholic beverages served by the licensee either on the licensee's premises or within the premises of the common consumption area, which must be controlled by barriers and by signs prohibiting consumption beyond the barriers.

Enacted Law Summary

Public Law 2019, chapter 281 authorizes the issuance of common consumption area licenses for the consumption of alcoholic beverages in entertainment districts located within municipalities that have adopted entertainment district ordinances. An entertainment district ordinance must describe the boundaries of the entertainment district as well

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as permissible hours of operation and maximum size of any common consumption area located within the entertainment district. The ordinance must also specify the maximum number of licensees that may operate a single common consumption area and whether a common consumption area located within the entertainment district may include public or private ways.

An auditorium, hotel, restaurant, Class A restaurant, Class A restaurant/lounge or Maine manufacturer that is licensed under the Maine Revised Statutes, Title 28-A to serve alcoholic beverages and that is located within the entertainment district and adjacent to the common consumption area is eligible for a common consumption area license. The process for review and approval of applications for licenses for the on-premises consumption of liquor by the municipal officers and by the Department of Administrative and Financial Services, Bureau of Alcoholic Beverages and Lottery Operations applies to applications for licenses for a common consumption area license.

The customers of a common consumption area licensee may consume alcoholic beverages served by the licensee either on the licensee's premises or within the premises of the common consumption area, which must be controlled by barriers and by signs prohibiting consumption beyond the barriers. A common consumption area license does not permit the licensee to serve any alcoholic beverages that the licensee is not authorized to serve pursuant to the licensee's underlying auditorium, hotel, restaurant, Class A restaurant, Class A restaurant/lounge or Maine manufacturer liquor license.

LD 1686 An Act To Allow Maine Clean Election Act Funds To Be Used for Election Recounts

**Accepted Majority
(ONTP) Report**

Sponsor(s)

ACKLEY K

Committee Report

ONTP
OTP-AM

Amendments Adopted

This bill allows a candidate to spend revenues received under the Maine Clean Election Act for election recount expenditures. Compare LD 411.

Committee Amendment "A" (H-534)

This amendment, which is the minority report of the committee, clarifies that a candidate may only spend revenues the candidate previously received under the Maine Clean Election Act for the cost of legal representation during a recount or subsequent court challenge if the recount is requested by the candidate's opponent. Maine Clean Election Act Fund revenues may not be used to pay the deposit due to the Secretary of State by a candidate who requests a recount.

This amendment was not adopted.

LD 1721 An Act To Amend the Campaign Reports and Finances Laws and the Maine Clean Election Act

PUBLIC 323

Sponsor(s)

Committee Report

OTP-AM
ONTP

Amendments Adopted

S-195

This bill, which was submitted by the Commission on Governmental Ethics and Election Practices, specifies that appointees to the Commission on Governmental Ethics and Election Practices who fill an unexpired term on the commission for less than two years are eligible to be appointed to two consecutive full terms thereafter. It also authorizes disclosure of a memorandum or report prepared by commission staff on an audit or investigation at the time the memorandum or report is submitted to the commission, as long as the subject of the audit or investigation is