

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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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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reasonable compensation that a wholesale licensee is entitled to receive from a small beer manufacturer or small hard cider manufacturer if that manufacturer terminates its distribution agreement with the wholesale licensee without good cause, causes the wholesale licensee to resign from an agreement without good cause, or unreasonably withholds its consent to any assignment, transfer or sale of the wholesale licensee's business and if the affected brands of malt liquor or hard cider comprise no more than 3% of the wholesale licensee's business and no more than 10,000 case equivalents in the preceding year. The wholesaler and small beer manufacturer or small hard cider manufacturer may, in the distribution agreement, limit the amount of reasonable compensation due in these circumstances, as long as agreed amount does not exceed the statutory amount of reasonable compensation.

5. It provides that, when any manufacturer and wholesale licensee disagree over the amount of reasonable compensation due after the manufacturer amends or terminates the distribution agreement in a way that removes the wholesaler's authority to distribute one or more of the manufacturer's brands of liquor, the neutral arbitrator selected to resolve the question shall issue a written decision on the matter no later than 45 days after the date of the commencement of the arbitration proceeding.

6. It provides that, regardless of whether reasonable compensation for termination of a distribution agreement has yet been paid by a small beer manufacturer or small hard cider manufacturer, upon written notice of the termination to the wholesale licensee, the small beer manufacturer or small hard cider manufacturer may appoint a new wholesale licensee to distribute the relevant products in the terminated wholesale licensee's territory or, if the small beer manufacturer is a small brewery or the small hard cider manufacturer is a small winery, it may sell the terminated brand or brands of malt liquor or hard cider directly to retail licensees in the terminated wholesale licensee's territory without selling the brand or brands to a wholesale licensee.

LD 1797 An Act To Amend the Advance Deposit Wagering Laws

CARRIED OVER

<u>Sponsor(s)</u>	<u>Committee Report</u>	<u>Amendments Adopted</u>
DILLINGHAM K LUCHINI L	OTP-AM OTP-AM	H-635 S-361 LUCHINI L

This bill allows commercial tracks, off-track betting facilities and multijurisdictional account wagering providers to be licensed to participate in advance deposit wagering. It repeals the provision that directs the Department of Public Safety, Gambling Control Board, through a competitive bidding process, to award one bidder the privilege to be licensed to conduct advance deposit wagering. It requires the board to establish by rule the net commission that must be collected by a licensee for distribution by the board.

Committee Amendment "A" (H-635)

This amendment is the majority report of the committee. Like the bill, the amendment allows a commercial track, an off-track betting facility and a multijurisdictional account wagering provider to obtain a license to conduct advance deposit wagering. Unlike the bill, which requires the Department of Public Safety, Gambling Control Board to set the tax rate on advance deposit wagering by rule, the amendment requires advance deposit wagering licensees to remit 4% of the licensees' gross advance deposit wagering income to the Department of Public Safety, Gambling Control Board for distribution by the board.

The amendment also requires licensure of employees of advance deposit wagering licensees, makes several technical changes to add clarity to the bill and adds an appropriations and allocations section.

Committee Amendment "B" (H-636)

This amendment, which is the minority report of the committee, is identical to the majority report except that it requires advance deposit wagering licensees to remit 0.5% of the licensees' gross advance deposit wagering income to the Department of Public Safety, Gambling Control Board for distribution by the board and it prohibits an entity

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that operates advance deposit wagering from receiving a distribution of gross advance deposit wagering income from the board.

This amendment was not adopted.

Senate Amendment "A" To Committee Amendment "A" (S-361)

This amendment defines "gross advance deposit wagering income" as the total amount of wagers placed by Maine residents via advance deposit wagering before payment of money to winning bettors.

This bill was reported out of committee and then carried over to any special or regular session, or both, of the 129th Legislature on the Special Appropriations Table by joint order, H.P. 1322.

LD 1805 An Act To Amend the Laws Governing Military Leave for Officials and State Employees

Leave to Withdraw Pursuant to Joint Rule

<u>Sponsor(s)</u>	<u>Committee Report</u>	<u>Amendments Adopted</u>
STEWART T LUCHINI L		

This bill, which was submitted by the Department of Defense, Veterans and Emergency Management, specifies that military leave given to state officials and employees who are members of the National Guard or Reserves of the United States Armed Forces may not exceed 17 days or 136 hours per calendar year. For full-time employees, military leave is based on an eight-hour work day, and military leave is prorated for part-time employees and employees on uncommon tours of duty. The bill also requires military leave to be charged by the hour and only in the amount necessary to cover the period of military duty.

LD 1806 An Act To Amend the Laws Governing Veterans' Services

PUBLIC 377

<u>Sponsor(s)</u>	<u>Committee Report</u>	<u>Amendments Adopted</u>
STEWART T LUCHINI L	OTP-AM	H-532 S-279 LUCHINI L

This bill, which was submitted by the Department of Defense, Veterans and Emergency Management, changes the name of the Bureau of Maine Veterans' Services within the Department of Defense, Veterans and Emergency Management to the Maine Bureau of Veterans' Services. The bill also revises the laws governing monuments erected in the Maine Veterans' Memorial Cemetery System and adds provisions regarding requirements for burial in green burial sections. The bill allows the Director of the Maine Bureau of Veterans' Services to waive certain requirements in the laws governing educational benefits for children of veterans, expands the type of programs covered by educational benefits to include certificate programs and master's degree programs, allows a student 10 academic years to complete a program and removes the restriction on extending that time.

Committee Amendment "A" (H-532)

This amendment incorporates a fiscal note.

Senate Amendment "A" (S-279)

This amendment: