

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.

Joint Standing Committee on Veterans and Legal Affairs

Committee Amendment "A" (S-407)

This amendment, which is the majority report of the committee, clarifies that only out-of-state spirits manufacturers and persons that engage in the out-of-state purchase of spirits for resale to the bureau are required to obtain a certificate of approval under the process established in the bill. The amendment further clarifies that, when out-of-state spirits suppliers ship spirits to Maine, the spirits must be delivered to a warehouse designated by the State Liquor and Lottery Commission.

Under the bill, an out-of-state spirits supplier is required to pay a \$1,000 annual fee to obtain a certificate of approval, except that an out-of-state spirits supplier that ships 120 gallons of spirits or less to Maine per year is only required to pay a \$100 annual fee. The amendment converts the total volume amount used to determine whether an out-of-state spirits supplier is eligible to pay the \$100 reduced fee from gallons to liters, which is the unit of measurement typically used in the spirits industry. The amendment also delays the effective date of the bill until September 1, 2020 and provides that an out-of-state spirits supplier that is not eligible to pay the \$100 reduced fee is only required to pay \$500 for a certificate of approval for the first year that the provision is in effect. Beginning September 1, 2021, the annual fee for an out-of-state spirits supplier that is not eligible to pay the \$100 reduced fee returns to the \$1,000 level established by the bill. Finally, the amendment makes technical changes to the bill.

Enacted Law Summary

Public Law 2019, chapter 615 resolves an inconsistency in the State's liquor laws by clarifying that, beginning September 1, 2020, an out-of-state spirits supplier must obtain a certificate of approval from the Department of Administrative and Financial Services, Bureau of Alcoholic Beverages and Lottery Operations before it may transport spirits into or cause spirits to be transported into the State for sale to the bureau. The term "out-of-state spirits supplier" is defined to include both an out-of-state spirits manufacturer and a person who engages in the out-of-state purchase of spirits for resale to the bureau. When an out-of-state spirits supplier ships spirits into the State, the spirits must be delivered to a warehouse designated by the State Liquor and Lottery Commission.

For the first year that Public Law 2019, chapter 615 is in effect, an out-of-state spirits supplier is required to pay a \$500 fee to obtain a certificate of approval, except that an out-of-state spirits supplier that ships no more than 450 liters of spirits into the State per year is only required to pay a \$100 fee. Beginning September 1, 2021, the annual fee for an out-of-state spirits supplier who ships more than 450 liters of spirits into the State per year increases to \$1,000, to match the fee required to obtain a certificate of approval to ship malt liquor or wine into the State, while the annual fee for an out-of-state spirits supplier that ships no more than 450 liters of spirits into the State per year remains \$100.

LD 2091

An Act To Amend the Marijuana Legalization Act and Make Other Implementing Changes

CARRIED OVER

<u>Sponsor(s)</u>	<u>Committee Report</u>	<u>Amendments Adopted</u>
LUCHINIL		

This bill, submitted by the Department of Administrative and Financial Services, does the following.

In the Marijuana Legalization Act, it amends the definition of "inherently hazardous substance" to include ethanol and alcohol, amends the definition of "marijuana trim" to exclude from that definition stalks and roots of the marijuana plant, amends the definition of "seedling" to include larger plants and adds definitions of "marijuana establishment support entity" and "sample collector."

In the Marijuana Legalization Act, it changes the requirements of the operating plan for cultivation facilities to require such facilities to obscure from public view by anyone under 21 years of age any marijuana or marijuana

Joint Standing Committee on Veterans and Legal Affairs

plants.

In the Marijuana Legalization Act, it provides for sample collectors to collect samples of marijuana and marijuana products for mandatory testing by marijuana testing facilities and provides for the licensing of marijuana establishment support entities.

It allows the Department of Administrative and Financial Services, Maine Revenue Services to provide tax information directly to the Department of Administrative and Financial Services, office of marijuana policy for the purposes of determining applicant eligibility for licenses issued by the office.

It amends the Freedom of Access Act to exclude from the definition of "public record" application materials provided to the office of marijuana policy regarding security, trade secrets and standard operating procedures.

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

LD 2114 An Act To Implement the Recommendations of the Secretary of State CARRIED OVER
Regarding Automatic Voter Registration

<u>Sponsor(s)</u>	<u>Committee Report</u>	<u>Amendments Adopted</u>

This bill, which was reported out by the Joint Standing Committee on Veterans and Legal Affairs pursuant to Public Law 2019, chapter 409, section 7, implements the recommendations of the Secretary of State for implementation of the automatic voter registration system. The bill replaces the requirement that the Department of the Secretary of State, Bureau of Motor Vehicles scan documentation that will be used to create a pending voter registration record for an individual who has not opted out of automatic voter registration and who applies for a driver's license or nondriver identification card with a requirement that the bureau record the individual's documentation for pending voter registration record purposes. The bill also authorizes the bureau to create a pending voter registration record for an individual who has previously applied for a driver's license or nondriver identification card and submitted documentation sufficient to create a pending voter registration record if the individual appears before the bureau to conduct another transaction and does not opt out of automatic voter registration.

The bill directs the Secretary of State to submit, by January 1, 2021, a report to the joint standing committee of the Legislature having jurisdiction over voter registration matters on the progress made toward implementing automatic voter registration and the estimated time required to complete all activities necessary for implementation. The joint standing committee may report out legislation to the First Regular Session of the 130th Legislature based on the report.

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

LD 2120 An Act Regarding Sales of Alcohol in Municipalities and PUBLIC 672
Unincorporated Places EMERGENCY

<u>Sponsor(s)</u>	<u>Committee Report</u>	<u>Amendments Adopted</u>
LUCHINIL	OTP-AM	S-436