

MAINE STATE LEGISLATURE

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STATE OF MAINE
130TH LEGISLATURE
SECOND REGULAR SESSION



Disposition of bills and summaries of all laws enacted or finally passed

**JOINT STANDING COMMITTEE ON VETERANS
AND LEGAL AFFAIRS**

July 2022

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Public Law 2021, chapter 658 also amends for clarity the headnote of the Maine Revised Statutes, Title 17, section 2003-A, which prohibits public drinking.

LD 1743 An Act To Amend Certain Definitions in the Statutes Governing the Gambling Control Board

ENACTED LAW SUMMARY

Public Law 2021, chapter 513 amends the statutes governing the Department of Public Safety, Gambling Control Board to change the defined term “electronic facsimile” to “electronic table game” and to conform the definition of “table game” to that change. It also corrects a cross-reference.

LD 1745 An Act To Amend the Laws Governing the Gambling Control Board

ENACTED LAW SUMMARY

Public Law 2021, chapter 697 allows an employee license issued by the Department of Public Safety, Gambling Control Board to be renewed for either a one-year term or a three-year term. The renewal fee for a one-year employee license is \$25, and the renewal fee for a three-year employee license is \$50.

LD 1750 An Act To Create a Framework for Maine’s Spirits Contract

ENACTED LAW SUMMARY

Part A of Public Law 2021, chapter 592:

1. Directs the Commissioner of Administrative and Financial Services to award a single 10-year contract for spirits administration and spirits trade marketing through a competitive bidding process for a contract term that will begin when the current contracts for spirits administration and spirits trade marketing expire;
2. Directs the commissioner to develop a request for proposals that is designed to encourage vigorous bidding and that requires bidders to provide detailed information, including: information regarding the bidder’s prior experience and knowledge of the relevant industries; a description of the bidder’s proposed marketing strategies and the scope of the spirits administration services the bidder will provide, as well as the fee that the bidder will charge for these strategies and services; an identification of the services for which the bidder proposes to use a subcontractor and the identity of that subcontractor; information demonstrating the bidder’s financial capacity and access to capital; a description of the bidder’s capabilities for providing transportation and distribution of spirits to agency liquor stores, including its

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capability to make deliveries on a minimum of 250 days per year and, for each agency liquor store, a minimum of two deliveries per week; information demonstrating the bidder's warehousing capabilities and ability to expand its warehouse capacity over the term of the contract; a description of the bidder's information technology capabilities related to invoicing, inventory management and sales data analysis; and information demonstrating that the bidder's proposal will enhance services to agency liquor stores, assist the State in achieving a responsible growth rate for the spirits business and positively impact the state economy. In addition, the commissioner shall require each bidder to demonstrate that the bidder, each principal officer of the bidder and any named subcontractor have not been found to have violated any state or federal law or rule governing the manufacture, distribution or sale of spirits. Each bidder must also affirm that neither the bidder nor any of the bidder's principal officers has a direct financial interest in a license or permit in any state for the manufacture of spirits, other than a minor investment in not more than 1% of the securities of a business entity holding such a license or permit;

3. Establishes the criteria for issuance of the contract and mandatory contract provisions, including those regarding auditing, oversight and performance review, which closely adhere to the law that was in effect when the commissioner entered into the current spirits administration and spirits trade marketing contracts; and
4. Authorizes the commissioner and the successful bidder to agree to a single extension of the contract for a period of no more than three years following the end of the original 10-year contract term.

Part B of Public Law 2021, chapter 592:

1. When the new spirits administration and spirits trade marketing contract described in Part A takes effect, increases from 12% to 18% the statutory minimum discount rate for agency liquor stores. The discount rate is the percentage taken off of the retail price when calculating the wholesale price that an agency liquor store pays to purchase spirits from the State;
2. Combines within one statutory provision the Department of Administrative and Financial Services, Bureau of Alcoholic Beverages and Lottery Operations' authority to adopt rules establishing discount rates above the statutory minimum, including graduated discount rates and increased discount rates to be awarded as part of a sales incentive program for agency liquor stores and specifies that these are routine technical rules;
3. Requires the bureau to submit a report to the joint standing committee of the Legislature having jurisdiction over alcoholic beverages matters by February 1, 2023 on its proposals to adopt new or to amend existing rules governing discount rates. The committee is authorized to report out legislation based on the report to any session of the 131st Legislature; and
4. Directs the bureau to convene a stakeholder group to consider changes to the law that would allow the production, importation and sale of spirits products containing between 8% and 15% alcohol by volume by certificate of approval holders under the Maine Revised Statutes, Title

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28-A, section 1361 and by in-state manufacturers of malt liquor or wine licensed under section 1355-A.

LD 1751 An Act To Extend the Changes to the Liquor Laws Made by Public Law 2021, Chapters 3 and 91

ENACTED LAW SUMMARY

Public Law 2021, chapter 514 extends through March 30, 2025:

1. The authority granted to qualified on-premises retailers and qualified distilleries by Public Law 2021, chapter 3 to sell liquor for off-premises consumption; and
2. The authority granted to licensed Maine distilleries and small distilleries by Public Law 2021, chapter 91 to sell cocktails containing samples of their spirits products for on-premises consumption.

LD 1754 An Act To Modify the Reporting Requirements for Major Contributors to Ballot Question Campaigns and To Make a Technical Change to the Campaign Finance Laws

ENACTED LAW SUMMARY

Public Law 2021, chapter 530 amends in the following ways the law requiring major contributors, that are non-individuals who contribute more than \$100,000 to a single ballot question committee or political action committee for any one direct initiative or people's veto referendum campaign, to file a report with the Commission on Governmental Ethics and Election Practices disclosing the five largest sources of funds received by the major contributor during a specified time period prior to and during the time in which the major contributor made its contributions related to the ballot question.

1. It exempts from the major contributor reporting requirement ballot question committees and political action committees that qualify as major contributors but that are already registered with the commission.
2. It exempts from disclosure any funds that are received by the major contributor in the ordinary course of the major contributor's regular trade or business or as investment income; that are restricted to purposes unrelated to the ballot question; or that derive from a source that provided no more than \$5,000 to the major contributor during the specified time period.
3. It restructures and clarifies the enforcement provisions regarding potential violations of the major contributor law and the factors that the commission must consider in assessing penalties.

Public Law 2021, chapter 530 also provides that, notwithstanding that ballot question committees are distinct from political action committees under Maine law, the electronic filing system through