

STATE OF MAINE
126TH LEGISLATURE
SECOND REGULAR SESSION



Summaries of bills, adopted amendments and laws enacted or finally passed

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

May 2014

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STATE OF MAINE
126TH LEGISLATURE
SECOND REGULAR SESSION
LEGISLATIVE DIGEST OF BILL SUMMARIES AND
ENACTED LAWS

The *Digest* is arranged 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.

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 HOUSESHouse & 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
EMERGENCYenacted 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 Second Regular Session of the 126th Legislature is August 1, 2014. 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

LD 31 An Act To Increase Gaming Opportunities for Charitable Fraternal and Veterans' Organizations

Died Between Houses

<u>Sponsor(s)</u>	<u>Committee Report</u>	<u>Amendments Adopted</u>
PATRICK BRIGGS	OTP-AM ONTP OTP-AM	

This bill was carried over from the First Regular Session of the 126th Legislature.

This bill permits the Gambling Control Board, beginning January 1, 2014 to issue a license to a charitable nonprofit organization that is a fraternal organization or a veterans' organization that is tax-exempt under the federal Internal Revenue Code to operate up to five slot machines on premises that are owned or leased by the organization, serve as its primary headquarters for fulfilling its charitable mission and are located in a municipality that has, by referendum of the voters, approved the operation of slot machines in that municipality. The organization must be able to demonstrate that it has a cash reserve of \$2,000 for each machine the organization intends to operate. An organization that wishes to apply prior to January 1, 2014 may file a declaration of intent to apply with the Gambling Control Board. An application must include a refundable \$5,000 deposit. The initial application fee for a slot machine operator license is \$1,000, and the annual renewal fee is \$350. A slot machine operated by a charitable nonprofit organization is subject to the same central site monitoring that applies to casinos and slot machine facilities at harness racing tracks. The total number of slot machines allowed to be operated by charitable nonprofit organizations statewide is 250. 10% of the net slot machine income is required to be deposited directly with the Gambling Control Board for administrative expenses; 8% goes directly to the General Fund; 10% goes to the host municipality; and 2% is dedicated to gambling addiction prevention and treatment. A charitable nonprofit organization that is licensed to operate slot machines is required to establish a separate account, from which the board may withdraw funds to distribute the net revenue percentages. The remaining revenue generated from the slot machines must be used to support the charitable purposes of the fraternal organization or veterans' organization.

Committee Amendment "A" (S-399)

This amendment, which was not adopted, is the majority report of the committee. It amends the bill to provide that charitable fraternal organizations are not included in the definition of "eligible organization." The amendment provides that an eligible organization, which under the amendment is a veterans' organization, may apply to the Department of Public Safety, Gambling Control Board to operate up to three slot machines at the organization's premises, instead of five as proposed in the bill. The total number of slot machines available to be operated by all licensed eligible organizations is reduced from 250 to 150 under this amendment. The amendment also reduces the initial license fee from \$1,000 to \$500 and the annual renewal fee from \$350 to \$175. The amendment also reduces the administrative deposit required with the application from \$5,000 to \$2,500 and the amount required to be held in segregated accounts per machine from \$2,000 to \$1,000. It also provides that the Gambling Control Board may start accepting applications on January 1, 2015, rather than January 1, 2014 as provided in the bill. The amendment also includes technical changes to the bill to reflect changes made by Public Law 2013, chapter 212.

Committee Amendment "B" (S-400)

This amendment, which was not adopted, is the minority report of the committee. It adds off-track betting facilities in operation as of January 1, 2013 to the definition of "eligible organization." Under the bill, an eligible organization is authorized to operate up to five slot machines. The amendment provides that an eligible organization that is a charitable nonprofit organization may operate up to five slot machines and that an eligible organization that is an off-track betting facility may operate as many as 50 slot machines. The amendment also requires a distribution of 45% of net revenues from slot machines operated by an off-track betting facility, which includes 33% to be deposited into the Coordinated Veterans Assistance Fund. The amendment also includes technical changes to the bill to reflect changes made by Public Law 2013, chapter 212.

Joint Standing Committee on Veterans and Legal Affairs

LD 227 An Act Concerning High-stakes Beano

**Died Between
Houses**

Sponsor(s)

MITCHELL
TUTTLE

Committee Report

ONTP
OTP-AM

Amendments Adopted

This bill was carried over from the First Regular Session of the 126th Legislature.

Current law allows the Penobscot Nation, the Houlton Band of Maliseet Indians and the Aroostook Band of Micmacs to operate high-stakes beano games no more than 27 weekends a year and the Passamaquoddy Tribe to operate high-stakes electronic beano games up to 100 times per year. This bill eliminates those restrictions. The bill also allows the Penobscot Nation, the Houlton Band of Maliseet Indians, the Aroostook Band of Micmacs and the Passamaquoddy Tribe to operate high-stakes electronic beano. Electronic beano simulates traditional beano and is played on individual electronic beano terminals connected to a central computer system that generates beano games. Individual electronic beano terminals may accept cash, tokens, cards or vouchers but may not dispense cash. A prize awarded for winning electronic beano must be in the form of a voucher that may be redeemed for cash or prizes.

Committee Amendment "A" (H-627)

This amendment, which was not adopted, is the minority report of the committee and replaces the bill. The amendment authorizes the Penobscot Nation and the Aroostook Band of Micmacs to use electronic beano terminals for the operation of high-stakes electronic beano. The amendment specifies that an electronic beano terminal is not a slot machine or an illegal gambling machine. An electronic beano terminal plays a game of chance resembling a beano game using a draw of no more than 75 letters and numbers that correspond to the game. The element of chance is determined by a central computer server system that is subject to testing by an independent testing company and to which the Chief of the State Police is provided access via the Internet for the purpose of conducting audits. An electronic beano terminal is not permitted to dispense cash or prizes. Instead, prizes for high-stakes electronic beano are awarded by voucher. The amendment also clarifies that, unlike traditional beano, beano conducted on an electronic beano terminal is not required to be a group game.

LD 511 An Act To Implement the National Popular Vote for President

**Died Between
Houses**

Sponsor(s)

WOODBURY
BROOKS

Committee Report

ONTP
OTP

Amendments Adopted

This bill was carried over from the First Regular Session of the 126th Legislature.

This bill proposes to adopt the interstate compact that is the agreement among the states to elect the President of the United States by national popular vote. Under the compact and the bill, the presidential candidate who receives the most popular votes in all 50 states and the District of Columbia will win the presidency. Under this bill, all of the state's electoral votes would be awarded to the presidential candidate who receives the most popular votes in all 50 states and the District of Columbia. This bill would take effect only when enacted by states possessing a majority of the electoral votes, that is, enough electoral votes to elect a President, which is 270 of 538.

Joint Standing Committee on Veterans and Legal Affairs

LD 519 An Act To Establish Advance Deposit Wagering for Harness Racing

**Died In
Concurrence**

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

This bill was carried over from the First Regular Session of the 126th Legislature.

This bill authorizes existing off-track betting facilities in the State to conduct advance deposit wagering for pari-mutuel horse racing either individually or in partnership with other off-track betting facilities. The bill authorizes the State Harness Racing Commission to administer the conduct of advance deposit wagering and sets out the distribution of the net commission to various uses and funds. The bill also requires any person or state department or agency who is authorized to conduct gambling activity in the State through the Internet to distribute 22% of the total commission of this Internet gambling activity to various state harness racing funds and purposes.

Committee Amendment "A" (S-398)

This amendment, which was not adopted, is the minority report of the committee. It replaces the bill and establishes a framework for the conduct of advance deposit wagering on harness horse racing and thoroughbred horse racing. The amendment provides that commercial tracks are eligible for a license to accept wagers made by telephone or electronic communication using advance deposit wagering. If no commercial track is licensed to conduct advance deposit wagering as of July 1, 2015, an existing off-track betting facility is eligible for an advance deposit wagering license. The amendment provides that an off-track betting facility may apply for a license individually or in partnership with another eligible off-track betting facility. Under the amendment, advance deposit wagering is a form of pari-mutuel wagering in which a bettor establishes an account from which wagers on horse races are made and into which prizes are deposited. An advance deposit wager licensee receives a percentage of each wager made using advance deposit wagering. Advance deposit wagering licenses are issued by the State Harness Racing Commission. The amendment prescribes the duties of the commission with regard to enforcement and administration of laws and rules that govern advance deposit wagering. The amendment also adds an appropriations and allocations section.

LD 704 An Act To Improve the Availability of Mail-in Rebates in the State

PUBLIC 514

<u>Sponsor(s)</u>	<u>Committee Report</u>	<u>Amendments Adopted</u>
TUTTLE	OTP-AM ONTP	S-460

This bill was carried over from the First Regular Session of the 126th Legislature.

This bill allows an agency store licensee to redeem coupons on a voluntary basis. The bill removes language from current law requiring that instant redeemable coupons be inserted in the package by the manufacturer or attached to the package by the manufacturer, manufacturer's agent or manufacturer's sales representative. The bill also removes language from current law requiring that instant redeemable coupons be made available to all agency store licensees electing to offer the coupon in an amount equal to the agency store's inventory of spirits products that are subject to the coupon promotion and removes language that instant redeemable coupons are for the benefit of the on-premise retail licensee. The bill also requires the State Liquor and Lottery Commission to establish rules to implement the provisions of this bill.

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Committee Amendment "A" (S-460)

This amendment is the majority report of the committee and replaces the bill. It provides that a manufacturer of spirits or a supplier of malt liquor, wine or low-alcohol spirits products may offer mail-in rebates through print or electronic media, attached to the package or displayed near the product where it is offered for sale for consumption off the licensed premises. Such mail-in rebates must be redeemed by the manufacturer or supplier and may not exceed the price of the product to which they are applied.

Enacted Law Summary

Public Law 2013, chapter 514 provides that, beginning January 1, 2015, a manufacturer of spirits or a supplier of malt liquor, wine or low-alcohol spirits products may offer mail-in rebates through print or electronic media, attached to the package or displayed near the product where it is offered for sale for consumption off the licensed premises. Such mail-in rebates must be redeemed by the manufacturer or supplier and may not exceed the price of the product to which they are applied.

LD 766 Resolve, Directing the Bureau of Alcoholic Beverages and Lottery Operations To Adopt Rules To Define the Term "Brand" as It Applies to the Distribution of Malt Liquor and Wine RESOLVE 89

<u>Sponsor(s)</u>	<u>Committee Report</u>	<u>Amendments Adopted</u>
BEAULIEU MASON G	OTP-AM	H-599

This bill was carried over from the First Regular Session of the 126th Legislature.

This bill defines "brand" under the liquor laws as the common name used to identify a manufacturer's line or family of liquor products comprising individual labels.

Committee Amendment "A" (H-599)

This amendment replaces the bill with a resolve directing the Director of the Bureau of Alcoholic Beverages and Lottery Operations within the Department of Administrative and Financial Services to adopt major substantive rules to define the term "brand" as it applies to the distribution of malt liquor and wine and permitting the bureau to define certain additional terms.

Enacted Law Summary

Resolve 2013, chapter 89 directs the Director of the Bureau of Alcoholic Beverages and Lottery Operations within the Department of Administrative and Financial Services to adopt major substantive rules to define the term "brand" as it applies to the distribution of malt liquor and wine and permitting the bureau to define certain additional terms.

LD 1111 An Act To Allow Maine's Harness Racing Industry To Compete with Casino Gaming Died Between Houses

<u>Sponsor(s)</u>	<u>Committee Report</u>	<u>Amendments Adopted</u>
GIFFORD COLLINS	ONTP OTP-AM	

This bill was carried over from the First Regular Session of the 126th Legislature.

This bill amends the eligibility requirements for slot machine operator licensing for a commercial track located

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within a three-mile radius of a commercial track that supports track and harness racing. The bill eliminates the deadline for local approval of the operation of slot machines at a commercial track facility that is currently without slot machines and requires approved slot machines to be located in a building adjacent to the harness racing oval. It increases the amount of slot machines allowed in the State from 3,000 to 4,500 and subjects the slot machines to the existing racino taxes and regulatory system.

Committee Amendment "A" (H-628)

This amendment, which was not adopted, replaces the bill and is the minority report of the committee. The amendment establishes a competitive bidding process for a resort casino in York County and Cumberland County that includes a minimum bid of \$50,000,000 for a license fee. The competitive bidding process is administered by the Department of Administrative and Financial Services and requires that preference be given to a bidder who has demonstrated experience in providing entertainment to residents of the State through wagering on harness races. The amendment provides that a portion of the fee paid for a casino operator license subject to the competitive bidding process must be reimbursed by the Department of Public Safety, Gambling Control Board if another casino or slot machine facility with more than five slot machines is licensed within ten years of the award of the casino operator license. The amendment provides for a \$250,000 application fee, which is to be used to defray the cost of the process and to fund a study to determine the fair market value of a resort casino license in York County and Cumberland County. The amendment provides that 1% of the gross slot machine revenue from the casino licensed pursuant to competitive bidding will be credited to the General Fund. It further provides that the Gambling Control Board must collect 39% of the net slot machine revenue and 16% of the net table game revenue and distribute it as follows: 11% to supplement harness racing purses; 4.5% to the Sire Stakes Fund; 4.5% to the Agricultural Fair Support Fund; 4.5% to the host municipality; 1.5% divided among abutting municipalities; 1% to the Fund to Stabilize Off-track Betting Facilities; and 73% to the General Fund.

LD 1298 An Act To Authorize the Houlton Band of Maliseet Indians To Operate a Casino in Aroostook County Died Between Houses

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

This bill was carried over from the First Regular Session of the 126th Legislature.

This bill authorizes the Department of Public Safety, Gambling Control Board to accept an application for a casino operator license to operate slot machines and table games at a casino on the North Road property of the Houlton Band of Maliseet Indians in the Town of Houlton from the Houlton Band of Maliseet Indians. A casino operated by the Houlton Band of Maliseet Indians would not be required to be approved at referendum. The bill raises the limit on the number of slot machines allowed in the State to accommodate the casino operated by the Houlton Band of Maliseet Indians. A casino operated by the Houlton Band of Maliseet Indians would be subject to the oversight of the Gambling Control Board and subject to the same laws and rules as currently licensed casinos.

Committee Amendment "A" (H-629)

This amendment, which was not adopted, is the minority report of the committee and replaces the bill. The amendment, like the bill, authorizes the Gambling Control Board within the Department of Public Safety to license the Houlton Band of Maliseet Indians to operate a casino in Aroostook County. Unlike the bill, which exempts the authorization from approval via referendum, the amendment provides that the license is contingent upon approval by the voters of Aroostook County. The amendment also provides language that exempts the casino from being subject to competitive bidding. The amendment provides for a distribution of 35% of the net slot machine revenue and 10% of the table game revenue from the casino.

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LD 1319 An Act To Authorize a Federally Recognized Indian Tribe in the State ONTP
To Benefit from the Operation of an Existing Casino

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

This bill was carried over from the First Regular Session of the 126th Legislature.

This bill provides the Houlton Band of Maliseet Indians the same distribution of net slot machine income from casino slot machines as is provided to the Penobscot Nation and the Passamaquoddy Tribe under current law.

LD 1494 An Act To Alter the Distribution of Maine Clean Election Act Funds ONTP

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

This bill was carried over from the First Regular Session of the 126th Legislature.

This bill decreases the number of qualifying contributions required for legislative and gubernatorial candidates to collect to become certified as Maine Clean Election Act candidates. It provides that candidates may continue to collect qualifying contributions in order to receive supplemental distributions from the Maine Clean Election Fund. The bill establishes a maximum amount of total distributions from the fund for all candidates. Finally, the bill establishes the amount of initial distributions for the 2014 election cycle.

LD 1520 An Act To Allow the Passamaquoddy Tribe To Operate Slot Machines in Died Between
Washington County in Conjunction with High-stakes Beano Houses

<u>Sponsor(s)</u>	<u>Committee Report</u>	<u>Amendments Adopted</u>
SOCTOMAH TUTTLE	ONTP OTP-AM	

This bill was carried over from the First Regular Session of the 126th Legislature.

This bill authorizes the Department of Public Safety, Gambling Control Board to accept an application from the Passamaquoddy Tribe to operate slot machines at a gaming facility in Washington County at which high-stakes beano is conducted by the Passamaquoddy Tribe. The bill raises the limit on the number of slot machines allowed in the State by 750 to accommodate the slot machines that may be operated by the Passamaquoddy Tribe. Slot machines operated by the Passamaquoddy Tribe would be subject to the oversight of the Gambling Control Board and subject to the same laws and rules as other slot machines operated in this State. The bill also amends the laws governing high-stakes beano to allow the Passamaquoddy Tribe to operate high-stakes beano on days as determined by the Passamaquoddy Tribe. The provisions of the bill are subject to approval by the voters of Washington County.

Committee Amendment "A" (H-630)

This amendment, which was not adopted, is the minority report of the committee. It authorizes the Passamaquoddy Tribe to be licensed to operate a casino in Washington County at a gaming facility where high-stakes beano operations have been authorized, unlike the bill, which authorized only a slot machine facility. Current law

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provides that if a recipient of slot machine revenue from the casino in Oxford is authorized to conduct its own slot machine facility or casino, any slot machine revenue distribution reverts back to the Oxford Casino. The amendment provides that distributions lost to the Passamaquoddy Tribe due to authorization to operate a casino would instead be deposited to the Coordinated Veterans Assistance Fund. The bill provides that slot machine revenue distributions from a casino operated by the Passamaquoddy Tribe are the same as distributions from the casino in Bangor. The amendment provides that distributions of table game revenues from a Passamaquoddy casino also mirror the distributions from the casino in Bangor. Finally, the amendment removes any restrictions on the dates on which federally recognized Indian tribes in the State authorized to conduct high-stakes beano may operate high-stakes beano games.

LD 1612 An Act To Amend the Veterans' Services Laws

PUBLIC 569

<u>Sponsor(s)</u>	<u>Committee Report</u>	<u>Amendments Adopted</u>
BEAULIEU VALENTINO	OTP-AM	H-694 S-543 HILL

This bill requires that the Department of Defense, Veterans and Emergency Management, Bureau of Maine Veterans' Services have at least one veteran service officer who specializes in female veterans' issues.

The bill also establishes the Maine Veterans' Memorial Cemetery System Care Fund Advisory Board.

Committee Amendment "A" (H-694)

This amendment adds several new sections to the bill. It requires the Adjutant General to include in the biennial report to the joint standing committee of the Legislature having jurisdiction over veterans affairs information on the status of communications with the United States Department of Veterans Affairs regarding the impact of environmental hazards on Maine National Guard veterans who were stationed in Gagetown, New Brunswick, Canada. The amendment provides that a postsecondary educational institution that provides tuition waivers to dependents of veterans may provide tuition waivers beyond 120 credit hours when a degree program requires more than 120 credit hours. The amendment also provides that, if revenues to the Coordinated Veterans Assistance Fund are insufficient to cover the full distribution for veteran service officers at Togus, the available funds will be divided equally between the veterans' service organizations. Finally, the amendment authorizes the transfer of \$15,000 from the Veterans Services program, General Fund account to the State House and Capitol Park Commission program, Other Special Revenue Funds account for design and construction of a plaque to honor veterans of the State in accordance with Resolve 2011, chapter 163.

Senate Amendment "A" To Committee Amendment "A" (S-543)

This amendment replaces the provision transferring funds from the Department of Defense, Veterans and Emergency Management with a fund-raising effort by the department and veterans groups.

Enacted Law Summary

Public Law 2013, chapter 569 requires that the Department of Defense, Veterans and Emergency Management, Bureau of Veterans' Service have at least one veterans service officer who specializes in issues specific to female veterans. Chapter 569 establishes the Maine Veterans' Memorial Cemetery System Care Fund Advisory Board. This law also requires the Adjutant General to include in the biennial report to the joint standing committee of the Legislature having jurisdiction over veterans affairs information on the status of communications with the United States Department of Veterans Affairs regarding the impact of environmental hazards on Maine National Guard veterans who were stationed in Gagetown, New Brunswick, Canada. Chapter 569 provides that a postsecondary educational institution that provides tuition waivers to dependents of veterans may provide tuition waivers beyond 120 credit hours when a degree program requires more than 120 credit hours. It also provides that, if revenues to the Coordinated Veterans Assistance Fund are insufficient to cover the full distribution for veteran service officers at

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Togus, the available funds will be divided equally between the veterans' service organizations. Finally, chapter 569 provides that revenues necessary to complete the design and construction of a plaque to honor veterans of the State in accordance with Resolve 2011, chapter 163 may be raised by fundraising efforts by the department and veterans groups.

LD 1613 An Act To Clarify Disclosure Requirements for Political Statements Broadcast by Radio

PUBLIC 494

<u>Sponsor(s)</u>	<u>Committee Report</u>	<u>Amendments Adopted</u>
LUCHINI	OTP-AM	H-626

This bill defines who is an agent of a candidate or the candidate's political committee for purposes of the laws regarding limitations on campaign contributions and expenditures. The bill also defines "candidate's political committee" based on the existing definition of "political committee" in the Maine Revised Statutes, Title 21-A, section 1, subsection 30. Certain individuals in positions of responsibility within a candidate's political campaign, including the treasurer and deputy treasurer, are deemed part of the candidate's political committee. An expenditure made by or in consultation with these individuals may not be considered independent of the candidate or the candidate's political committee.

Committee Amendment "A" (H-626)

This amendment replaces the bill. The amendment clarifies existing law with regard to disclosures required to be included in political statements made by radio when the communication is financed by someone other than the candidate or the candidate's political committee. The disclosure requirement states that only the city and state of the person who financed the communication must be disclosed. This is the same requirement as in current law, but the amendment states the requirement in a separate sentence. The amendment also reorganizes the relevant section of statute so that all communications that under current law are exempt from the name and address disclosure requirements are listed under the same subsection, including those communications that are on items so small that the disclosure would be illegible, such as pens, swizzle sticks or matchbooks.

Enacted Law Summary

Public Law 2013, chapter 494 clarifies existing law with regard to disclosures required to be included in political statements made by radio when the communication is financed by someone other than the candidate or the candidate's political committee. The disclosure requirement states that only the city and state of the person who financed the communication must be disclosed. This is the same requirement as in current law, but the change made by chapter 494 states the requirement in a separate sentence. The law also reorganizes the relevant section of statute so that all communications that, under current law, are exempt from the name and address disclosure requirements are listed under the same subsection, including those communications that are on items so small that the disclosure would be illegible, such as pens, swizzle sticks or matchbooks.

LD 1614 An Act Regarding the Laws Governing Liquor Licensing and Enforcement

PUBLIC 476
EMERGENCY

<u>Sponsor(s)</u>	<u>Committee Report</u>	<u>Amendments Adopted</u>
LUCHINI	OTP-AM	H-652

Part A of this bill makes several changes to the laws governing the sale of alcoholic beverages to correct errors made in Public Law 2013, chapter 368, Part V, which was enacted during the First Regular Session of the 126th Legislature. These changes include correcting cross-references to accurately refer to the section of law that allows for the State to award contracts for the wholesale distribution and administration of spirits and referring to the

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Department of Administrative and Financial Services, Bureau of Alcoholic Beverages and Lottery Operations as the entity authorized to adopt rules regarding administration of the laws governing alcoholic beverages. Part A of this bill corrects a conflict in existing law regarding the discount price for which agency liquor stores purchase spirits. It restructures the provisions that outline the duties and authorities of the Bureau of Alcoholic Beverages and Lottery Operations by separating the functions that deal with enforcement, licensing and tax collection from the functions that deal with the administration of the spirits business on behalf of the State. It removes outdated references to agency liquor stores, including a provision that authorized the Governor or the bureau to close agency liquor stores in the event of riots, hurricanes or floods. It removes the requirement that the bureau provide copies of new laws and rules that govern alcoholic beverages to licensees free of charge. It clarifies an existing process that allows for the bureau to suspend a person's liquor license when a payment for spirits purchases, taxes or other fees is not honored or is returned for insufficient funds. It makes a correction to the law that provides for the legal, commercial transport of alcoholic beverages into and within the State by ensuring it applies to all alcoholic beverages and includes transport by reselling agents to licensees who are licensed for the sale of spirits for on-premises consumption.

Part B of this bill makes technical corrections to the alcoholic beverage laws to reflect existing law that, on July 1, 2014, removes fortified wine from the spirits business administered by the State or the State's contracted wholesaler and grants the privilege of distribution to licensed beer and wine distributors exclusively. Part B of this bill takes effect July 1, 2014.

Committee Amendment "A" (H-652)

This amendment removes certain references to fortified wine in the bill to be consistent with changes made in the bill that place the jurisdiction over distributing fortified wines with licensed distributors. It also makes changes to the provisions in current law governing the process for suspension and revocation of liquor licenses to reflect the transfer of responsibilities for liquor licensing from the Commissioner of Public Safety to the Director of the Bureau of Alcoholic Beverages and Lottery Operations within the Department of Administrative and Financial Services pursuant to Public Law 2013, chapter 368. The amendment also makes nonsubstantive clarifying changes to the bill.

Enacted Law Summary

Public Law 2013, chapter 476 makes several changes to the laws governing the sale of alcoholic beverages to correct errors made in Public Law 2013, chapter 368, Part V, which was enacted during the First Regular Session of the 126th Legislature. The changes include correcting cross-references to accurately refer to the section of law that allows for the State to award contracts for the wholesale distribution and administration of spirits and referring to the Department of Administrative and Financial Services, Bureau of Alcoholic Beverages and Lottery Operations as the entity authorized to adopt rules regarding administration of the laws governing alcoholic beverages. It also corrects a conflict in existing law regarding the discount price for which agency liquor stores purchase spirits. Chapter 476 restructures the provisions that outline the duties and authorities of the Bureau of Alcoholic Beverages and Lottery Operations by separating the functions that deal with enforcement, licensing and tax collection from the functions that deal with the administration of the spirits business on behalf of the State. It removes outdated references to state liquor stores, including a provision that authorized the Governor or the bureau to close state liquor stores in the event of riots, hurricanes or floods. It also removes the requirement that the bureau provide copies of new laws and rules that govern alcoholic beverages to licensees free of charge. Chapter 476 clarifies an existing process that allows for the bureau to suspend a person's liquor license when a payment for spirits purchases, taxes or other fees is not honored or is returned for insufficient funds. It also makes a correction to the law that provides for the legal, commercial transport of alcoholic beverages into and within the State by ensuring it applies to all alcoholic beverages and includes transport by reselling agents to licensees who are licensed for the sale of spirits for on-premises consumption.

Part B of this law, which takes effect July 1, 2014, makes technical corrections to the alcoholic beverage laws to reflect existing law that, on July 1, 2014, removes fortified wine from the spirits business administered by the State or the State's contracted wholesaler and grants the privilege of distribution to licensed beer and wine distributors

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exclusively.

Public Law 2013, chapter 476 was enacted as an emergency measure and effective March 16, 2014.

LD 1615 An Act To Amend the Election Laws

**PUBLIC 457
EMERGENCY**

<u>Sponsor(s)</u>	<u>Committee Report</u>	<u>Amendments Adopted</u>
LUCHINI TUTTLE	OTP-AM	H-620 H-662 LUCHINI

This bill makes the following changes to the election laws.

1. It specifies that a municipal clerk must keep the record of receipts for ballots issued and received in that clerk's office.
2. It resolves a conflict in the Maine Revised Statutes created when two public laws amended the same section of law in different ways by incorporating the changes made by both laws.
3. It removes the requirement that a list of absentee voters include a place for the registrar to certify the voter registration status of the absentee voters.
4. It changes the deadline, from 30 days to 60 days prior to the election, for a municipality to give notice to the Secretary of State that the municipality intends to process absentee ballots prior to election day.
5. It repeals the requirement that referendum ballots be printed on paper of a distinctive color.
6. It corrects a number of typographical and other errors in the laws that reapportion the State Senate, State House and County Commissioner districts.

Committee Amendment "A" (H-620)

This amendment corrects a boundary description in the provision of laws governing the apportionment of State House Districts.

House Amendment "A" (H-662)

This amendment makes the 2013 apportionment law consistent with the provisions of the Androscoggin County Charter.

Enacted Law Summary

Public Law 2013, chapter 457 makes the following changes to the election laws.

1. It specifies that a municipal clerk must keep the record of receipts for ballots issued and received in that clerk's office.
2. It resolves a conflict in the Maine Revised Statutes created when two public laws amended the same section of law in different ways by incorporating the changes made by both laws.
3. It removes the requirement that a list of absentee voters include a place for the registrar to certify the voter registration status of the absentee voters.
4. It changes the deadline, from 30 days to 60 days prior to the election, for a municipality to give notice to the

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Secretary of State that the municipality intends to process absentee ballots prior to election day.

- 5. It repeals the requirement that referendum ballots be printed on paper of a distinctive color.
- 6. It corrects a number of typographical and other errors in the laws that reapportion the State Senate, State House and County Commissioner districts, including a boundary description of a State House District.
- 7. It makes the 2013 apportionment law consistent with the provisions of the Androscoggin County Charter.

Public Law 2013, chapter 457 was enacted as an emergency measure and took effect on March 11, 2014.

LD 1631 An Act To Clarify What Constitutes a Contribution to a Candidate Veto Sustained

<u>Sponsor(s)</u>	<u>Committee Report</u>	<u>Amendments Adopted</u>
SAVIELLO	OTP-AM ONTP	S-446

This bill amends the laws regarding limitations on campaign contributions and expenditures to clarify that any expenditure made by a person who has been affiliated with a campaign, regardless of whether the person has been paid or the actual duties the person has performed, or by a person who has received compensation from the campaign is considered a contribution to the candidate.

Committee Amendment "A" (S-446)

This amendment is the majority report of the committee. It strikes the bill and amends the laws regarding limitations on campaign contributions and expenditures to clarify that any expenditures made by a key person who has been affiliated with a campaign in the last 120 days, regardless of whether the person has been paid or the actual duties the person has performed, or by a person who has received compensation from the campaign, are a contribution to the candidate. The amendment clarifies that the value of services provided by an individual without compensation are excluded in the definition of "expenditures." It also specifies categories of persons who are affiliated with a candidate's campaign for purposes of this provision. The amendment incorporates the term "agent" into the definition of "key person affiliated with the candidate's campaign" and thereby preserves the provision in existing law that designates expenditures by a candidate's agent as contributions to the candidate. The amendment also strikes the emergency preamble and the emergency clause from the bill.

LD 1632 Resolve, Directing the Commissioner of Defense, Veterans and Emergency Management To Request the Federal Government To Recognize Environmental Hazards at the Military Training Center in Gagetown, New Brunswick and the Resulting Health Risks and Disabilities Suffered by Certain Members of the Maine National Guard RESOLVE 100

<u>Sponsor(s)</u>	<u>Committee Report</u>	<u>Amendments Adopted</u>
TUTTLE LONGSTAFF	OTP-AM	S-421

This resolve directs the Commissioner of Defense, Veterans and Emergency Management to request the United States Department of Veterans Affairs to recognize the environmental hazards present at the 5th Canadian Division Support Base in Gagetown, New Brunswick, Canada, and the resulting potential health risks and disabilities to veterans who, as members of the Maine National Guard, trained in partnership with Canadian military forces in Gagetown. The resolve requires the commissioner to report on the status of the request to the joint standing committee of the Legislature having jurisdiction over veterans and legal affairs by January 10, 2015.

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Committee Amendment "A" (S-421)

This amendment clarifies that the report due to the joint standing committee of the Legislature having jurisdiction over veterans and legal affairs on the status of the request to the United States Department of Veterans Affairs to recognize environmental hazards impacting veterans who were members of the Maine National Guard stationed at Gagetown, New Brunswick, Canada must include a summary of any correspondence with the State's congressional delegation.

Enacted Law Summary

Resolve 2013, chapter 100 directs the Commissioner of Defense, Veterans and Emergency Management to request the United States Department of Veterans Affairs to recognize the environmental hazards present at the 5th Canadian Division Support Base in Gagetown, New Brunswick, Canada, and the resulting potential health risks and disabilities to veterans who, as members of the Maine National Guard, trained in partnership with Canadian military forces in Gagetown. Chapter 100 requires the commissioner to report on the status of the request to the joint standing committee of the Legislature having jurisdiction over veterans and legal affairs by January 10, 2015. The report must include a summary of any correspondence with the State's Congressional delegation with regard to the status of the request.

LD 1637 An Act Regarding Taste-testing Event Licenses

**PUBLIC 531
EMERGENCY**

<u>Sponsor(s)</u>	<u>Committee Report</u>	<u>Amendments Adopted</u>
ALFOND MONAGHAN-DERRIG	OTP-AM ONTP	S-475

This bill amends the laws governing licensing of special taste-testing events by:

1. Allowing malt liquor and wine wholesalers and manufacturers similarly licensed in another state to qualify for a special event license;
2. Increasing the number of licenses for licensed events that may be obtained by a manufacturer or wholesaler per year from five to ten;
3. Allowing additional persons to pour samples of wine and malt liquor at such events;
4. Allowing a brewery or winery that is not a certificate of approval holder but is licensed for a special event to provide malt liquor or wine for the event when that malt liquor or wine is not registered with the State but is registered with the federal government; and
5. Changing the timing regarding when excise taxes and premiums must be paid.

Committee Amendment "A" (S-475)

This amendment replaces the bill. The amendment repeals two provisions in current law that establish a special taste-testing festival license and a special food and beverage industry taste-testing event license and replaces them with one taste-testing event license that allows for sampling of malt liquor, wine and spirits. Under this amendment, a taste-testing event license may be issued to a manufacturer or distributor who has been issued a certificate of approval from the Department of Administrative and Financial Services, Bureau of Alcoholic Beverages and Lottery Operations. It also allows for a certificate of approval holder to sponsor manufacturers or distributors who have not been issued a certificate of approval so that they may take part in the taste-testing event. A certificate of approval holder may take part in up to ten licensed events per year. An event may last up to four consecutive days.

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Under the amendment, a taste-testing event must be held in a venue with clearly defined points of entry that prohibit the consumption of alcoholic beverages outside the designated area. A patron of the event pays a single admission price for the event and is not charged for samples provided. Taste-testing event licensees must ensure that persons who are intoxicated may not be served at the event and that samples of malt liquor, wine or spirits are not presented in a manner that permits patrons to help themselves. Minors are prohibited from the event unless the taste testing takes place in an area of the venue where minors are not allowed. Those providing the samples to patrons must wear identification, such as a badge, so that a person being served a sample can clearly read the name of the manufacturer or distributor providing the sample. The amendment also requires that an affidavit be provided to the bureau attesting that those pouring samples have not been found in violation of a law governing the service of alcohol to minors. Sample sizes are limited to four ounces of malt liquor, one and one-half ounces of wine and one-half ounce of spirits. The overall sample limit is 12 samples per person, per day of the event. The amendment also provides for certain exceptions to the sample size and overall limits.

Spirits provided for taste testing at the event must be spirits that are listed for sale by the Bureau of Alcoholic Beverages and Lottery Operations. The amendment provides that all required taxes on liquor served at the event must be paid in advance. Empty bottles of liquor not listed for sale in the State must be removed from the State after the event. The amendment requires that the Bureau of Alcoholic Beverages and Lottery Operations create a pamphlet or similar document, available on the bureau's publicly accessible website, that describes the requirements and conditions of the event, including generally applicable laws.

The amendment also provides that a limited certificate of approval currently available to wine manufacturers who ship less than 120 gallons of wine into the State per year is also available to manufacturers of malt liquor subject to the same gallon limit.

Enacted Law Summary

Public Law 2013, chapter 531 repeals two provisions in current law that establish a special taste-testing festival license and a special food and beverage industry taste-testing event license and replaces them with one taste-testing event license that allows for sampling of malt liquor, wine and spirits. Under chapter 531, a taste-testing event license may be issued to a manufacturer or distributor who has been issued a certificate of approval from the Department of Administrative and Financial Services, Bureau of Alcoholic Beverages and Lottery Operations. It also allows for a certificate of approval holder to sponsor manufacturers or distributors who have not been issued a certificate of approval so that they may take part in the taste-testing event. A certificate of approval holder may take part in up to ten licensed events per year. An event may last up to four consecutive days.

Chapter 531 requires that a taste-testing event must be held in a venue with clearly defined points of entry that prohibit the consumption of alcoholic beverages outside the designated area. A patron of the event pays a single admission price for the event and is not charged for samples provided. Taste-testing event licensees must ensure that persons who are intoxicated may not be served at the event and that samples of malt liquor, wine or spirits are not presented in a manner that permits patrons to help themselves. Minors are prohibited from the event unless the taste testing takes place in an area of the venue where minors are not allowed. Those providing the samples to patrons must wear identification, such as a badge, so that a person being served a sample can clearly read the name of the manufacturer or distributor providing the sample. The law also requires that an affidavit be provided to the bureau attesting that those pouring samples have not been found in violation of a law governing the service of alcohol to minors. Sample sizes are limited to four ounces of malt liquor, one and one-half ounces of wine and one-half ounce of spirits. The overall sample limit is 12 samples per person, per day of the event. Chapter 531 also provides for certain exceptions to the sample size and overall limits.

Spirits provided for taste testing at the event must be spirits that are listed for sale by the Bureau of Alcoholic Beverages and Lottery Operations. The law provides that all required taxes on liquor served at the event must be paid in advance. Empty bottles of liquor not listed for sale in the State must be removed from the State after the event. The law also requires that the Bureau of Alcoholic Beverages and Lottery Operations create a pamphlet or similar document, available on the bureau's publicly accessible website, that describes the requirements and

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conditions of the event, including generally applicable laws.

Chapter 531 also provides that a limited certificate of approval currently available to wine manufacturers who ship less than 120 gallons of wine into the State per year is also available to manufacturers of malt liquor subject to the same gallon limit.

Public Law 2013, chapter 531 was enacted as an emergency measure effective April 8, 2014.

LD 1653 An Act To Designate the Maine Armed Forces Museum Operated by the Maine Military Historical Society as the Official State Military History Museum **PUBLIC 463**

<u>Sponsor(s)</u>	<u>Committee Report</u>	<u>Amendments Adopted</u>
MASON G LONGSTAFF	OTP	

This bill designates the museum operated by the Maine Military Historical Society, the Maine Armed Forces Museum, as the official state military history museum.

Enacted Law Summary

Public Law 2013, chapter 463 designates the museum operated by the Maine Military Historical Society, the Maine Armed Forces Museum, as the official state military history museum.

LD 1655 An Act To Amend the Military Bureau Laws **PUBLIC 469**

<u>Sponsor(s)</u>	<u>Committee Report</u>	<u>Amendments Adopted</u>
TUTTLE BEAULIEU	OTP-AM	S-395

This bill specifies the duties of the Adjutant General as they relate to federal cost-sharing arrangements. The bill renames the Capital Repair Account the Capital Repair, Maintenance, Construction and Acquisition Account, specifies how the funds in that account may be spent and raises from \$300,000 or more to \$1,000,000 or more the cost of a capital repair project for which approval by the Legislature is required.

Committee Amendment "A" (S-395)

This amendment reduces the amount expended from the Capital Repair, Maintenance, Construction and Acquisition Account for a capital repair, maintenance and construction project or land acquisition that would require approval by the Legislature from \$1,000,000, as the bill proposes, to \$500,000. It also requires that any construction, maintenance or capital repair projects and any land acquisitions costing less than \$500,000 be included in the biennial report required by current law.

Enacted Law Summary

Public Law 2013, chapter 469 specifies the duties of the Adjutant General as they relate to federal cost-sharing arrangements. The law renames the Capital Repair Account the Capital Repair, Maintenance, Construction and Acquisition Account. It specifies how the funds in that account may be spent and raises from \$300,000 or more to \$500,000 or more the cost of a capital repair project for which approval by the Legislature is required. Chapter 469 also specifies that any construction, maintenance or capital repair projects and any land acquisitions that come under the \$500,000 threshold be included in the biennial report required to be submitted under current law.

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LD 1670 *Resolve, To Require the Director of the Bureau of Maine Veterans' Services To Report on the Administration of the Coordinated Veterans Assistance Fund* ONTP

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

This resolve requires the Director of the Bureau of Maine Veterans' Services within the Department of Defense, Veterans and Emergency Management to report to the Joint Standing Committee on Veterans and Legal Affairs on the Coordinated Veterans Assistance Fund.

LD 1675 *An Act To Streamline Gaming Laws* ONTP

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

This bill requires the Commissioner of Administrative and Financial Services to solicit bids for the operation of a new casino located in southern Maine and directs the Department of Public Safety, Gambling Control Board to issue a casino operator license to the entity that is awarded the bid. The casino operator must enter into an agreement with the municipality where the slot machines are located that provides for revenue sharing or other compensation of at least three percent of the net slot machine income. The fee for this license is \$5,000,000. The limit on the number of slot machines that may be registered in the State is raised from 3,000 to 5,000.

The casino operator must distribute 1% of gross slot machine income to the General Fund for the administrative expenses of the Gambling Control Board. The casino operator must distribute 39% of net slot machine income and 16% of net table game income as follows:

- 2 ½% for the administrative expenses of the Gambling Control Board and for the Gambling Addiction Prevention and Treatment Fund;
- 20% to supplement harness racing purses;
- 5% to the Sire Stakes Fund;
- 8 ½% to the Agricultural Fair Support Fund;
- 5% to the municipality in which the slot machines and table games are located;
- 7 ½% to the county in which the slot machines and table games are located;
- 2 ½% to the municipalities that abut the municipality in which the slot machines and table games are located;
- 2 ½% to the Fund to Stabilize Off-track Betting Facilities;
- 1 ½% to a nonprofit fraternal organization fund established by rule;

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- 1 ½% to the Coordinated Veterans Assistance Fund;
- 2 ½% to the federally recognized Indian tribes in the State;
- 20 ½% to the Department of Education for the purpose of funding kindergarten to grade 12 education; and
- 20 ½% to the Local Government Fund under the Maine Revised Statutes, Title 30-A, chapter 223 for the purpose of revenue sharing with the municipalities of the State.

LD 1681 An Act To Amend the Laws Governing Gambling and Criminal History ONTP
Record Checks

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

This bill specifies the portions of net slot machine and table game income collected by a casino operator or slot machine operator for administrative expenses of the Department of Public Safety, Gambling Control Board that must be deposited in the General Fund and the Gambling Control Board administrative expenses Other Special Revenue Funds account.

The bill moves a dedicated fund in the Department of Education regarding criminal history record checks to the Department of Public Safety.

It also provides that, with respect to fingerprint-supported criminal history record checks, unless otherwise specified in law, the full fee charged must be deposited in a dedicated revenue account for the purpose of paying the costs of the Department of Public Safety.

LD 1690 An Act Concerning Confidential Records Received by the Commission PUBLIC 470
on Governmental Ethics and Election Practices

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

This bill clarifies that certain investigative records of the Commission on Governmental Ethics and Election Practices designated confidential under current law maintain their confidentiality even if they are in the possession of a financial institution or vendor of a candidate, political action committee or other association being investigated by the commission. Those categories of documents are also confidential if received in the context of an audit or other enforcement matter such as a staff review of the compliance of campaign finance reports. The commission may present those documents or discuss them at a public meeting of the commission when they are materially relevant to a final commission determination or other decision by the commission concerning an audit, investigation or other enforcement matter.

Enacted Law Summary

Public Law 2013, chapter 470 clarifies that certain investigative records of the Commission on Governmental Ethics and Election Practices designated confidential under current law maintain their confidentiality even if they are in the possession of a financial institution or vendor of a candidate, political action committee or other association being investigated by the commission. Those categories of documents are also confidential if received in the context of an audit or other enforcement matter such as a staff review of the compliance of campaign finance reports. The commission may present those documents or discuss them at a public meeting of the commission when

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they are materially relevant to a final commission determination or other decision by the commission concerning an audit, investigation or other enforcement matter.

LD 1713 *An Act To Permit the Sharing of Revenue from the Sale of Alcoholic Beverages at Sporting Events*

**PUBLIC 446
EMERGENCY**

<u>Sponsor(s)</u>	<u>Committee Report</u>	<u>Amendments Adopted</u>
ALFOND	OTP-AM	S-377

This bill creates an exception to the law that prohibits a liquor license from being sold, assigned or subject to the control of a person other than the licensee. The bill allows a civic auditorium that holds a liquor license and serves as the designated host facility for a professional sports team to enter into an agreement to share the proceeds from the sale of alcoholic beverages sold in conjunction with the professional team's sporting events. In order to qualify for this exception, the civic auditorium must have the capacity to seat at least 3,000 people.

Committee Amendment "A" (S-377)

This amendment adds an emergency preamble and emergency clause to the bill and strikes the requirement that a professional sports team must play at least 15 calendar days at a host facility in order to share revenue from liquor sales with the host facility. The amendment also provides that the revenue-sharing exception applies to any licensee that has the capacity to seat at least 3,000 people and hosts a professional sports team, not just licensed civic auditoriums. The amendment also requires that the licensee disclose not only the existence of an agreement with the sports team but also the terms of the revenue-sharing agreement when applying for a liquor license.

Enacted Law Summary

Public Law 2013, chapter 446 establishes an exception to a provision in current law that prohibits a liquor license from being sold, assigned or subject to the control of a person other than the licensee. Chapter 446 provides that a licensee whose establishment has the capacity to seat at least 3,000 people and is the designated host facility for a professional sports team, may enter into an agreement to share revenues from the sale of alcoholic beverages with the professional sports team. The revenues to be shared are limited to those generated by sales of alcoholic beverages at sporting events conducted by the professional sports team. In order to share revenues, the professional sports team must conduct at least 75% of its sporting events as the home team in competition at the licensed facility. Revenue sharing agreements are required to be disclosed to the Bureau of Alcoholic Beverages and Lottery Operations.

Public Law 2013, chapter 446 was enacted as an emergency measure effective February 18, 2014.

LD 1763 *An Act To Make Available to the Public Certain Information Concerning the Alcohol Content of Malt Liquor, Wine and Spirits*

**PUBLIC 504
EMERGENCY**

<u>Sponsor(s)</u>	<u>Committee Report</u>	<u>Amendments Adopted</u>
LUCHINI PATRICK	OTP-AM	H-685

Current law prohibits a person licensed to manufacture, sell or distribute alcoholic beverages from publishing in any form an advertisement of malt liquor that refers in any manner to the alcohol content of the malt liquor manufactured, sold or distributed by that licensee, including through the use of phrases such as "full strength," "extra strength" or "prewar strength." The inclusion of the alcohol content on the product label is permitted. This bill prohibits the use of images as well as phrases that may be considered as statements of high alcohol content but permits the advertisement of alcohol content with respect to malt liquor, wine and spirits as long as it is expressed as a percentage of alcohol by volume.

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Committee Amendment "A" (H-685)

This amendment strikes the provision in the bill that prohibits a liquor licensee from displaying images or phrases that are likely to be considered statements of high alcohol content, such as "full strength," "high test" or "extra strength." It retains the provision in the bill that ensures a licensee may display the alcohol content of malt liquor, wine or spirits when it is expressed as a percentage of alcohol by volume. Current law prohibits a licensee from posting any advertisement that includes the alcohol content of malt liquor, expressed in any manner. The amendment maintains the section in the bill that repeals this prohibition.

Enacted Law Summary

Public Law 2013, chapter 504 repeals a law that prohibits a licensee from posting any advertisement that includes the alcohol content of malt liquor expressed in any manner. Chapter 504, instead, provides that a licensee may display the alcohol content of malt liquor, wine or spirits when it is expressed as a percentage of alcohol by volume.

Public Law 2013, chapter 504 was enacted as an emergency measure effective April 3, 2014.

**LD 1775 An Act To Assist Military Service Members with Access to the Federal ONTP
Uniformed Services Employment and Reemployment Rights Act of 1994**

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

This bill directs the Department of Defense, Veterans and Emergency Management, Bureau of Maine Veterans' Services to establish a website that provides information to military service members about the federal Uniformed Services Employment and Reemployment Rights Act of 1994. The bill also requires the Director of the Bureau of Maine Veterans' Services to inform military service members about the website prior to and upon return from their deployment.

**LD 1783 An Act To Expand Consumer Choice for Wine Died Between
Houses**

<u>Sponsor(s)</u>	<u>Committee Report</u>	<u>Amendments Adopted</u>
GIDEON KATZ	OTP-AM ONTP	

This bill allows a person who is not a retailer or wholesaler licensed to sell wine or malt liquor in the State to auction fine and rare wines from a private collection to private collectors, retailers and wholesalers under certain conditions.

Committee Amendment "A" (H-809)

This amendment, which was not adopted, replaces the bill. The amendment establishes a license for a person to conduct wine auctions. Wine sold at auction by a wine auction licensee must be wine that was acquired from a private collection and not from anyone licensed to produce or to sell or distribute wine at retail or wholesale. A wine auction license allows for up to 12 auctions per year. Wines sold at auction may be purchased by registered bidders, including persons licensed to sell wine for off-premises or on-premises consumption. An auction licensee must pay all required sales and excise taxes. If a licensee fails to pay taxes within a prescribed period of time, the license may be suspended or revoked.

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LD 1834 An Act To Require the Commission on Governmental Ethics and Election Practices To Make Public Declarations following a Determination of a Campaign Statement's Falsity **Accepted Majority (ONTP) Report**

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

This bill requires the Commission on Governmental Ethics and Election Practices to investigate, upon complaint made by a candidate for Governor, State House of Representatives or State Senate, certain campaign statements and to make public declarations regarding statements determined to be false.

Committee Amendment "A" (S-513)

This amendment, which was not adopted, is the minority report of the committee. The amendment removes from the list of statements that are subject to an investigation by the Commission on Governmental Ethics and Election Practices false statements about a candidate's or public official's confinement for a mental disorder or a false statement about military discipline for criminal misconduct or about dishonorable discharge. It also requires the commission to categorize statements subject to an investigation in categories ranging from false to true.

LD 1837 An Act To Provide Former Employees of the Maine Military Authority the Ability To Sue for Severance Pay **Veto Sustained**

<u>Sponsor(s)</u>	<u>Committee Report</u>	<u>Amendments Adopted</u>
JACKSON T THERIAULT	OTP-AM ONTP	S-524

This bill prohibits the State and the Maine Military Authority, an executive branch entity, from raising the defense of sovereign immunity in a civil action brought to collect severance pay.

Committee Amendment "A" (S-524)

This amendment is the majority report of the committee and clarifies that the waiver of immunity granted in the bill applies to a specific civil action for unpaid severance pay.

LD 1856 Resolve, To Conduct a Market Analysis Regarding the Feasibility of Expanded Gaming in Maine **RESOLVE 111 EMERGENCY**

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

This resolve is reported out by the Joint Standing Committee on Veterans and Legal Affairs pursuant to Public Law 2011, chapter 699. The resolve directs the Executive Director of the Legislative Council to enter into a contract with an experienced gaming consulting firm to conduct an analysis of the potential market for expanded casino-style gaming in the State. The resolve requires the analysis and a report to be completed by September 1, 2014. The resolve authorizes the Joint Standing Committee on Veterans and Legal Affairs to hold up to four meetings to review the analysis and authorizes the joint standing committee of the Legislature having jurisdiction over veterans and legal affairs to report out legislation to the First Regular Session of the 127th Legislature.

The resolve transfers \$150,000 from the Gambling Control Board administrative expenses Other Special Revenue

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Funds account to the General Fund and transfers \$150,000 to the Legislative Council from the General Fund to fund the contract.

Committee Amendment "A" (H-821)

This amendment, which was not adopted, is the minority report of the committee and replaces the resolve reported out by the Joint Standing Committee on Veterans and Legal Affairs pursuant to authority under Public Law 2011, chapter 699. The amendment requires the committee to meet no fewer than 12 times in June, July and August of 2014 to develop a comprehensive gaming policy for the State that includes the development of regions or zones where casinos may be licensed, the establishment of a competitive bidding process and the establishment of a single structure for the distribution of slot machine and table game revenue for all facilities licensed to operate slot machines or table games.

Enacted Law Summary

Resolve 2013, chapter 111 directs the Executive Director of the Legislative Council to enter into a contract with an experienced gaming consulting firm to conduct an analysis of the potential market for expanded casino-style gaming in the State. The resolve requires the analysis and a report to be completed by September 1, 2014. Chapter 111 authorizes the Joint Standing Committee on Veterans and Legal Affairs to hold up to four meetings to review the analysis and authorizes the joint standing committee of the Legislature having jurisdiction over veterans and legal affairs to report out legislation to the First Regular Session of the 127th Legislature.

Chapter 111 transfers \$150,000 from the Gambling Control Board administrative expenses Other Special Revenue Funds account to the General Fund and transfers \$150,000 to the Legislative Council from the General Fund to fund the contract.

Resolves 2013, chapter 111 was finally passed as an emergency measure effective April 30, 2014.

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SUBJECT INDEX

Alcoholic Beverages

Enacted

LD 704	An Act To Improve the Availability of Mail-in Rebates in the State	PUBLIC 514
LD 766	Resolve, Directing the Bureau of Alcoholic Beverages and Lottery Operations To Adopt Rules To Define the Term "Brand" as It Applies to the Distribution of Malt Liquor and Wine	RESOLVE 89
LD 1614	An Act Regarding the Laws Governing Liquor Licensing and Enforcement	PUBLIC 476 EMERGENCY
LD 1637	An Act Regarding Taste-testing Event Licenses	PUBLIC 531 EMERGENCY
LD 1713	An Act To Permit the Sharing of Revenue from the Sale of Alcoholic Beverages at Sporting Events	PUBLIC 446 EMERGENCY
LD 1763	An Act To Make Available to the Public Certain Information Concerning the Alcohol Content of Malt Liquor, Wine and Spirits	PUBLIC 504 EMERGENCY

Not Enacted

LD 1783	An Act To Expand Consumer Choice for Wine	Died Between Houses
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Beano and Games of Chance

Not Enacted

LD 227	An Act Concerning High-stakes Beano	Died Between Houses
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Campaign Finance and Maine Clean Election Act

Enacted

LD 1613	An Act To Clarify Disclosure Requirements for Political Statements Broadcast by Radio	PUBLIC 494
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Not Enacted

LD 1494	An Act To Alter the Distribution of Maine Clean Election Act Funds	ONTP
LD 1631	An Act To Clarify What Constitutes a Contribution to a Candidate	Veto Sustained

Campaign Practices

Not Enacted

LD 1834	An Act To Require the Commission on Governmental Ethics and Election Practices To Make Public Declarations following a Determination of a Campaign Statement's Falsity	Majority (ONTP) Report
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Claims Against the State

Not Enacted

LD 1837	An Act To Provide Former Employees of the Maine Military Authority the Ability To Sue for Severance Pay	Veto Sustained
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Defense, Veterans and Emergency Management

Enacted

LD 1612	An Act To Amend the Veterans' Services Laws	PUBLIC 569
LD 1653	An Act To Designate the Maine Armed Forces Museum Operated by the Maine Military Historical Society as the Official State Military History Museum	PUBLIC 463
LD 1655	An Act To Amend the Military Bureau Laws	PUBLIC 469

Elections

Enacted

LD 1615	An Act To Amend the Election Laws	PUBLIC 457 EMERGENCY
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Governmental Ethics and Election Practices

Enacted

LD 1690	An Act Concerning Confidential Records Received by the Commission on Governmental Ethics and Election Practices	PUBLIC 470
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Harness Racing and Off-track Betting

Not Enacted

LD 519	An Act To Establish Advance Deposit Wagering for Harness Racing	Died In Concurrence
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Maine National Guard

Not Enacted

LD 1775	An Act To Assist Military Service Members with Access to the Federal Uniformed Services Employment and Reemployment Rights Act of 1994	ONTP
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Slot Machines and Gambling

Enacted

LD 1856	Resolve, To Conduct a Market Analysis Regarding the Feasibility of Expanded Gaming in Maine	RESOLVE 111 EMERGENCY
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Not Enacted

LD 31	An Act To Increase Gaming Opportunities for Charitable Fraternal and Veterans' Organizations	Died Between Houses
LD 1111	An Act To Allow Maine's Harness Racing Industry To Compete with Casino Gaming	Died Between Houses
LD 1298	An Act To Authorize the Houlton Band of Maliseet Indians To Operate a Casino in Aroostook County	Died Between Houses
LD 1319	An Act To Authorize a Federally Recognized Indian Tribe in the State To Benefit from the Operation of an Existing Casino	ONTP
LD 1520	An Act To Allow the Passamaquoddy Tribe To Operate Slot Machines in Washington County in Conjunction with High-stakes Beano	Died Between Houses
LD 1675	An Act To Streamline Gaming Laws	ONTP
LD 1681	An Act To Amend the Laws Governing Gambling and Criminal History Record Checks	ONTP

Veterans

Enacted

LD 1632	Resolve, Directing the Commissioner of Defense, Veterans and Emergency Management To Request the Federal Government To Recognize Environmental Hazards at the Military Training Center in Gagetown, New Brunswick and the Resulting Health Risks and Disabilities Suffered by Certain Members of the Maine National Guard	RESOLVE 100
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Not Enacted

LD 1670 **Resolve, To Require the Director of the Bureau of Maine Veterans' Services
To Report on the Administration of the Coordinated Veterans Assistance
Fund**

ONTP

Voting

Not Enacted

LD 511 **An Act To Implement the National Popular Vote for President**

**Died Between
Houses**

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