

STATE OF MAINE
127TH LEGISLATURE
SECOND REGULAR SESSION



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

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

May 2016

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Joint Standing Committee on Veterans and Legal Affairs

**LD 742 RESOLUTION, Proposing an Amendment to the Constitution of Maine
To Require That Signatures on a Direct Initiative of Legislation Come
from Each Congressional District** **Died Between
Houses**

<u>Sponsor(s)</u>	<u>Committee Report</u>	<u>Amendments Adopted</u>
SAVIELLO T	OTP-AM ONTP	S-356

This resolution was carried over from the First Regular Session of the 127th Legislature.

This bill proposes to amend the Constitution of Maine to require that at least 5% of the number of signatures required on a petition to directly initiate legislation be of electors registered to vote in each of the 16 counties.

Committee Amendment "A" (S-129)

The resolution proposes to amend the Constitution of Maine to require that signatures on a petition to directly initiate legislation be of voters from every county of the State. This amendment instead proposes to amend the Constitution of Maine to require that the number of signatures on a petition to directly initiate legislation be of voters from each of the State's 2 congressional districts in an amount not less than 10% of the total votes for Governor cast in that congressional district in the previous gubernatorial election.

This amendment was not adopted.

Committee Amendment "B" (S-356)

This amendment proposes to amend the Constitution of Maine to require that the signatures on a petition to directly initiate legislation be of voters from each of the State's two congressional districts and that the number of signatures from each congressional district be not less than ten percent of the total votes for Governor cast in that congressional district in the previous gubernatorial election. This amendment provides that, if the required votes are cast in favor of the proposed amendment to the Constitution, the proposed amendment becomes part of the Constitution on March 1, 2017 instead of on the date of the Governor's proclamation.

**LD 805 Resolve, Authorizing Certain Individuals To Bring Suit against the
Department of Health and Human Services** **Died On
Adjournment**

<u>Sponsor(s)</u>	<u>Committee Report</u>	<u>Amendments Adopted</u>
FARNSWORTH R DUTREMBLE D	OTP-AM ONTP	H-524

This resolve was carried over from the First Regular Session of the 127th Legislature.

This resolve authorizes Sara Bachelder individually and on behalf of her two minor children; Danielle and Christopher Pouliot individually and on behalf of their minor child; Hannah and Brett Williams individually and on behalf of their minor child; Tonya Later and Albert Sico III individually and on behalf of their minor child; and Michelle Tapley individually and on behalf of her minor child to bring suit against the Department of Health and Human Services for damages in connection with actions taken by the Department of Health and Human Services and constitutes a waiver of the State's defense of sovereign immunity.

Committee Amendment "A" (H-524)

This amendment, which is the majority report of the Joint Standing Committee on Veterans and Legal Affairs,

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amends the resolve by stipulating that the total amount of all damages, including costs, combined in all actions brought pursuant to the authority granted in the resolve may not exceed \$400,000. The amendment also clarifies that the resolve does not restrict the named individuals to bringing a single action but that multiple individual actions may be brought, subject to the total damages cap of \$400,000.

LD 904 An Act To Increase Fairness in Campaign Financing

Died Between Houses

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

This bill was carried over from the First Regular Session of the 127th Legislature.

Current law limits the amount individuals, political committees, political action committees and other entities may contribute to a candidate for Governor to \$1,500 in any primary, general or special election. The limit for a legislative candidate is \$350 per election. This bill provides that individuals, political committees, political action committees and other entities may contribute a total of \$3,000 to a candidate for Governor, including a maximum of \$1,500 for a primary election, and a total of \$750 to a legislative candidate, including a maximum of \$375 for a primary election.

Committee Amendment "A" (H-568)

This amendment replaces the bill and was presented in response to the United States District Court decision in *Woodhouse, et al. v. Maine Commission on Governmental Ethics and Election Practices, et al.*, United States District Court, District of Maine, Docket No. 1:14-CV-266-DBH.

The amendment provides that contributions received by a candidate for a primary election must be segregated from those received for the general election. The amendment allows a candidate who is unopposed in a primary election to use, in the general election, contributions received for the primary election prior to the deadline by which primary candidates must submit petitions to take part in a primary election. Contributions carried forward from the primary election to the general election are subject to the dollar limits that apply to contributions made to a candidate by a single donor.

The amendment permits a candidate who defeats a primary opponent to carry forward, to the general election, unspent contributions received for the primary election. Regardless of whether the candidate was opposed in a primary election, if the sum of a primary election contribution and a general election contribution from the same donor exceeds contribution limits, the candidate must return at least the excess amount to the donor.

The amendment specifies that contributions received for the purpose of supporting a candidate in a primary election may not be used primarily to support the candidate's general election.

The amendment repeals the limit of \$25,000 per calendar year on an individual's aggregate contributions to all political candidates.

The amendment delays the effective date until December 1, 2016 and also makes technical, cross-reference changes.

This amendment was not adopted.

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**LD 997 Resolve, Authorizing Legislation To Streamline the Laws Governing the
Licensing and Conduct of Beano and Games of Chance**

**Died On
Adjournment**

<u>Sponsor(s)</u>	<u>Committee Report</u>	<u>Amendments Adopted</u>
DEVIN M	OTP-AM	H-554

This bill was carried over from the First Regular Session of the 127th Legislature.

This bill is a concept draft pursuant to Joint Rule 208.

This bill proposes to streamline licensing and registration requirements for veterans' organizations and the method of payments by those veterans' organizations.

Committee Amendment "A" (H-554)

This amendment strikes the bill, which is a concept draft, and directs the Joint Standing Committee on Veterans and Legal Affairs to meet to develop proposals to streamline the laws governing beano and games of chance with the purpose of simplifying licensure, maximizing revenue to licensed charitable organizations and easing the administrative and enforcement burdens of the Chief of the State Police. The amendment requires the chief to provide certain information to the committee.

LD 1279 An Act To Authorize Advance Deposit Wagering for Horse Racing

PUBLIC 499

<u>Sponsor(s)</u>	<u>Committee Report</u>	<u>Amendments Adopted</u>
PICCHIOTTI J	OTP-AM ONTP	H-614

This bill was carried over from the First Regular Session of the 127th Legislature.

This bill establishes a framework for the conduct of advance deposit wagering on harness and thoroughbred racing. The bill provides that commercial tracks and established off-track betting facilities are eligible for a license to accept wagers made by telephone or electronic communication using advance deposit wagering. 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 bill prescribes the duties of the commission with regard to enforcement and administration of laws and rules that govern advance deposit wagering. The bill also authorizes multijurisdictional account wagering providers from outside the State to provide advance deposit wagering.

Committee Amendment "A" (H-614)

This amendment replaces the bill and is the majority report of the committee. The amendment establishes a competitive bid process, administered by the Department of Public Safety, Gambling Control Board, to authorize one entity to be licensed to conduct advance deposit wagering in the State on horse racing. The board is charged with adopting rules to govern the conduct of advance deposit wagering in addition to administering the licensing process and enforcement of the laws and rules governing the gambling activity.

Advance deposit wagering is a method of wagering on horse racing in which bets are made electronically, by telephone or in person. A bettor establishes an account with the licensee from which the licensee makes

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withdrawals to place bets on behalf of the account holder and into which the licensee deposits income from winning bets.

Under the amendment, a person is eligible to submit a bid to become the single advance deposit wagering licensee in the State if the person is a commercial track or off-track betting facility licensed in the State or if the person is an entity already licensed to conduct advance deposit wagering in another state. The person is required to execute a contract with the board. The contract will govern the amount of the net commission of advance deposit wagers that will be distributed by the board to recipients such as commercial tracks, the Sire Stakes Fund, the Agricultural Fair Support Fund, off-track betting facilities, harness racing purses and the General Fund. The amendment provides the percentages of the net commission that must be distributed by the board to these recipients.

Enacted Law Summary

Public Law 2015, chapter 499 establishes a competitive bid process, to be administered by the Department of Public Safety, Gambling Control Board, to authorize one entity to be licensed to conduct advance deposit wagering in the State on horse racing. The board is charged with adopting rules to govern the conduct of advance deposit wagering in addition to administering the licensing process and enforcement of the laws and rules governing the gambling activity. Advance deposit wagering is a method of wagering on horse racing in which bets are made electronically, by telephone or in person. A bettor establishes an account with the licensee from which the licensee makes withdrawals to place bets on behalf of the account holder and into which the licensee deposits income from winning bets.

Under chapter 499, a person is eligible to submit a bid to become the single advance deposit wagering licensee in the State if the person is a commercial track or off-track betting facility licensed in the State or if the person is an entity already licensed to conduct advance deposit wagering in another state. The person is required to execute a contract with the board. The contract will govern the amount of the net commission of advance deposit wagers that will be distributed by the board to recipients such as commercial tracks, the Sire Stakes Fund, the Agricultural Fair Support Fund, off-track betting facilities, harness racing purses and the General Fund. Finally, this law provides the percentages of the net commission that must be distributed by the board to these recipients.

LD 1280 An Act To Provide Income Tax Relief by Expanding Gaming Opportunities

Accepted Report B (ONTP)

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

This bill was carried over from the First Regular Session of the 127th Legislature.

This bill establishes the Independent Facility Location Commission to solicit bids for the operation of a casino to be located in Cumberland County or York County. The commission must select the best-value bidder to be issued a casino operator license by the Department of Public Safety, Gambling Control Board for an initial license fee of \$5,000,000. The winning bidder must construct a destination resort gaming facility with harness racing, slot machines and table games and a resort that includes a hotel, spa, pool, multiple dining options, entertainment venue, retail space and harness racing track. The casino must be approved by the voters of the county in which it is to be located and by the municipal officers or municipality in which the casino is to be located. 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 limit on the number of slot machines that may be registered in the State is raised from 3,000 to 7,500.

The bill establishes the Income Tax Relief Fund. Allocations from the fund must be made to provide income tax

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relief to the citizens of this State.

The casino operator must distribute 46% of net slot machine income and 16% of net table game income to the Gambling Control Board for distribution by the board as follows:

1. 2.5% to the General Fund for the administrative expenses of the Gambling Control Board and for the Gambling Addiction Prevention and Treatment Fund;
2. 20% to supplement harness racing purses;
3. 5% to the Sire Stakes Fund;
4. 8.5% to the Agricultural Fair Support Fund;
5. 3% to the municipality in which the slot machines and table games are located;
6. 5% to the county in which the slot machines and table games are located;
7. 2% percent to the municipalities that abut the municipality in which the slot machines and table games are located;
8. 2.5% to the Fund to Stabilize Off-track Betting Facilities;
9. 1.5% to the Coordinated Veterans Assistance Fund; and
10. 50% to the Income Tax Relief Fund.

Committee Amendment "E" (H-580)

This amendment replaces the bill and is the majority report of the committee. The amendment establishes a competitive bid process for the operation of a resort-style casino in either York County or Cumberland County. The amendment establishes the Casino Development Commission, which is an independent board of five members appointed by the Governor and confirmed by the Senate. The commission's purpose is to develop a request for proposals for the privilege to submit an application to the Department of Public Safety, Gambling Control Board for a casino operator license. Prior to submitting a request for proposals, either York County or Cumberland County, or both, would have to hold a referendum vote asking voters to allow the operation of a casino in their county. The referendum must be held on the same date as a statewide election no sooner than June 1, 2017 and no later than July 1, 2018. The fee to submit a bid is \$250,000. The amendment provides for specific supporting information to be submitted by the bidder and considered by the commission including the bidder's ability to make a minimum \$250,000,000 capital investment in the resort-style casino and information regarding job creation, economic development, plans to mitigate negative infrastructure impacts and the bidder's support of the harness racing industry. Under the amendment, the commission is directed to develop a point system for the factors to be considered in evaluating proposals and give priority to proposals that create jobs, promote economic development, increase tourism and support a casino that fits the character of the State. The winning bidder must enter into a contract with the commission that obligates the casino operator to abide by the proposals made in the winning bid. Failure to abide by the terms of the contract could result in financial penalties to the casino operator.

The license fee for a casino under the amendment is \$55,000,000, of which \$5,000,000 is deposited into the General Fund to be used for administrative expenses of the Gambling Control Board. The remaining \$50,000,000 is deposited into an account to be used to mitigate the impact of lost revenue on the municipalities and a county in which casinos are currently located. The Gambling Control Board will distribute money from the account to the municipalities and county based on distributions the municipalities and county had been receiving from the casino.

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If a person initially licensed to operate the casino surrenders the license or the license is revoked, a subsequent licensee may operate the casino only for the remainder of the license term and is subject to a \$500,000 transfer fee. A subsequent licensee is subject to the contract executed when the casino in either York County or Cumberland County was initially licensed.

The amendment sets the distribution of net slot machine revenue at 40% and the distribution of net table game revenue at 16% for the resort-style casino. It directs the Gambling Control Board to withhold distributions of slot and table game revenues from the existing casinos upon the commencement of operation of the casino authorized by this amendment until the required distributions are established at those rates for all casinos by the Legislature. The amendment provides for various recipients of slot machine revenue and requires table game revenue to be deposited to the Fund to Reform Veterans Services. Allocations from the fund are made through grants to support the needs of veterans as governed by the policies and objectives of the Maine Veterans Assistance Council, which is established by this amendment.

The amendment requires the executive director of the State Harness Racing Commission to submit a report to the joint standing committees of the Legislature having jurisdiction over casino matters and agricultural matters. The executive director is required to consult with the commission and members of the harness racing industry to make recommendations that will increase the number of breeders in the Sire Stakes Fund program and structure distributions so that the money is not concentrated among a small percentage of breeders.

The amendment also adds an appropriations and allocations section.

This amendment was not adopted.

Committee Amendment "F" (H-581)

This amendment replaces the bill and is a minority report of the committee. The amendment establishes a competitive bid process for the operation of a resort-style casino in either York County or Cumberland County. The amendment establishes the Casino Development Commission, which is an independent board of five members appointed by the Governor and confirmed by the Senate. The commission's purpose is to develop a request for proposals for the privilege to submit an application to the Department of Public Safety, Gambling Control Board for a casino operator license. The fee to submit a bid is \$250,000. The amendment provides for specific supporting information to be submitted by the bidder and considered by the commission including the bidder's ability to make a minimum \$250,000,000 capital investment in the resort-style casino and information regarding job creation, economic development and plans to mitigate negative infrastructure impacts. Under the amendment, the commission is directed to develop a point system for the factors to be considered and give priority to factors that create jobs, promote economic development, increase tourism and support a casino that fits the character of the State, with job creation and economic development being the highest priorities. The winning bidder must enter into a contract with the commission that obligates the casino operator to abide by the proposals made in the winning bid. The contract includes a commitment of the casino operator to make annual reinvestments in the facility of an amount no less than three percent but no greater than 4 percent of net gambling revenue. Failure to abide by the terms of the contract could result in financial penalties to the operator.

The license fee for a casino under the amendment is \$10,000,000, which is deposited into the General Fund. The amendment sets the distribution of net slot machine revenue at 35% and the distribution of net table game revenue at 16% for the resort-style casino. Upon operation of slot machines at the resort-style casino, the board will hold distributions required of existing casinos until the Legislature establishes a single distribution structure that would apply to all casinos in the State that establishes a distribution of 35% of net slot machine revenue and 16% of net table game revenue.

Finally, the amendment makes enactment of this bill contingent upon the approval of the voters of the State at a statewide referendum election.

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This amendment was not adopted.

LD 1331 An Act To Provide Enhanced Enforcement of the Laws Governing Alcoholic Beverages

Died On Adjournment

<u>Sponsor(s)</u>	<u>Committee Report</u>	<u>Amendments Adopted</u>
LUCHINI L CYRWAY S	OTP-AM	H-373

This bill was reported out of committee in the prior session and then carried over on the Special Appropriations Table.

This bill provides a definition of "liquor inspector" and provides that the Director of the Bureau of Alcoholic Beverages and Lottery Operations within the Department of Administrative and Financial Services may require liquor inspectors to receive law enforcement training as a condition of employment. The bill also requires the director to ensure that no less than 1/3 of the liquor inspector positions under the bureau include a requirement that the liquor inspector must complete law enforcement training.

LD 1343 An Act To Increase Access to Postsecondary Education for Maine National Guard Members

Died On Adjournment

<u>Sponsor(s)</u>	<u>Committee Report</u>	<u>Amendments Adopted</u>
FREDETTE K WHITTEMORE R	OTP-AM	H-364

This bill was reported out of committee in the prior session and then carried over on the Special Appropriations Table.

This bill provides for a tuition waiver for 100% of tuition costs at any state postsecondary education institution for qualified members of the Maine National Guard.

This bill, as amended, was incorporated into LD 1612, which was enacted as Public Law 2015, chapter 465.

LD 1461 An Act To Allow All Manufacturers Licensed by the Bureau of Alcoholic Beverages and Lottery Operations To Provide Samples of Products to Retail Licensees

PUBLIC 386

<u>Sponsor(s)</u>	<u>Committee Report</u>	<u>Amendments Adopted</u>
SAVIELLO T	OTP-AM	S-353

This bill allows any person licensed as a manufacturer by the Department of Administrative and Financial Services, Bureau of Alcoholic Beverages and Lottery Operations to give a retail licensee samples of malt liquor and wine. Current law restricts this practice to small breweries, small wineries and wholesalers.

Committee Amendment "A" (S-353)

The bill authorizes any person licensed as a manufacturer of malt liquor or wine by the Department of Administrative and Financial Services, Bureau of Alcoholic Beverages and Lottery Operations to give a retail licensee samples of malt liquor and wine. This amendment clarifies that the authorized manufacturer is licensed to

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manufacture malt liquor or wine.

Enacted Law Summary

Public Law 2015, chapter 386 authorizes any person licensed as a manufacturer of malt liquor or wine by the Department of Administrative and Financial Services, Bureau of Alcoholic Beverages and Lottery Operations to give a retail licensee samples of malt liquor and wine.

LD 1462 An Act Regarding the Sale of Alcohol by a Manufacturer with an On-premises Retail License

Died Between Houses

<u>Sponsor(s)</u>	<u>Committee Report</u>	<u>Amendments Adopted</u>
SAVIELLO T	ONTP OTP-AM	S-355

Current law allows a manufacturer of spirits, wine or malt liquor that obtains a retail license to sell the manufacturer's products as well as other liquor on the premises of that manufacturer.

This bill allows a manufacturer with a retail license to also sell its products for consumption off the premises of that manufacturer without the licensed premises being physically separated for on-premises and off-premises sales and without physically separating the inventory, as long as adequate records are maintained. This bill also allows breweries, small breweries, wineries, small wineries, distilleries or small distilleries under common ownership to transfer products from one premises to another and sell or serve those transferred products.

Committee Amendment "A" (S-355)

This amendment replaces the bill. This amendment clarifies existing law that permits a person that is licensed to manufacture malt liquor, wine or spirits at a facility in the State to sell the product that person produces from the manufacturing facility for off-premises consumption without having to get a separate off-premises retail license.

The amendment specifies that the location of the manufacturing facility where off-premises sales of the manufacturer's product occur is not required to be accessed by a separate entrance from the area of the facility that is licensed to serve alcoholic beverages for on-premises consumption.

The amendment clarifies that distilleries and small distilleries are subject to the existing law that requires spirits sold at retail to first be listed for sale and distributed by the State.

Finally, the amendment adds a provision reflecting federal law that permits a manufacturer who manufactures at multiple licensed locations to transport the manufacturer's own product between those locations.

LD 1466 An Act Regarding Sales Representatives Employed by Licensed Wholesalers

PUBLIC 387

<u>Sponsor(s)</u>	<u>Committee Report</u>	<u>Amendments Adopted</u>
PATRICK J LUCHINI L		S-357

This bill exempts from licensing by the Department of Administrative and Financial Services, Bureau of Alcoholic Beverages and Lottery Operations a sales representative who is employed by a distributor and who does not participate in product sampling or tasting events with the public.

Committee Amendment "A" (S-357)

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This amendment replaces the bill and changes the title. The amendment provides a definition of "sales representative" as it applies to licensed wholesalers. It clarifies that the provision in current law that requires liquor sales representatives to be licensed by the Department of Administrative and Financial Services, Bureau of Alcoholic Beverages and Lottery Operations applies to sales representatives employed by licensed wholesalers.

Enacted Law Summary

Public Law 2015, chapter 387 provides a definition of "sales representative" as it applies to licensed wholesalers. And clarifies a provision in current law that requires liquor sales representatives employed by wholesalers to be licensed by the Department of Administrative and Financial Services, Bureau of Alcoholic Beverages and Lottery Operations.

LD 1467 An Act Regarding Maine Spirits

**PUBLIC 430
EMERGENCY**

<u>Sponsor(s)</u>	<u>Committee Report</u>	<u>Amendments Adopted</u>
COLLINS R KINNEY J	OTP-AM	S-394

Under current law, on-premises retailers are required to report their liquor purchases from reselling agents to the Department of Administrative and Financial Services, Bureau of Alcoholic Beverages and Lottery Operations. This bill instead requires reselling agents to report sales of spirits to on-premises retail licensees. This bill further provides that sales of spirits to on-premises retail licensees reported to the bureau from reselling agents are not confidential except for the names of the reselling agents.

Committee Amendment "A" (S-394)

This amendment replaces the bill. As in the bill, the amendment establishes a requirement that reselling agents report sales of spirits made to establishments licensed to sell spirits for on-premises consumption. Under the amendment, spirits sales data is required to be reported monthly beginning October 15, 2016. The amendment repeals the requirement in current law that on-premises licensees report retail spirits sales data to the bureau. It amends the section of law that governs the responsibilities of the Director of the Bureau of Alcoholic Beverages and Lottery Operations within the Department of Administrative and Financial Services to include a requirement that the director implement a spirits sales reporting system. The reporting system is facilitated by a trade association representing states that control the sale and distribution of spirits.

The amendment directs the bureau to adopt rules to help mitigate the costs incurred by those reselling agents licensed and selling spirits to on-premises licensees as of July 1, 2016.

Enacted Law Summary

Public Law 2015, chapter 430 establishes a requirement that reselling agents report sales of spirits made to establishments licensed to sell spirits for on-premises consumption. It amends the section of law that governs the responsibilities of the Director of the Bureau of Alcoholic Beverages and Lottery Operations within the Department of Administrative and Financial Services to include a requirement that the director implement a spirits sales reporting system. The reporting system is facilitated by a trade association representing states that control the sale and distribution of spirits. The spirits sales data is required to be reported monthly beginning October 15, 2016.

Chapter 430 repeals the requirement in current law that on-premises licensees report retail spirits sales data to the bureau.

This law also requires the bureau to adopt rules to help mitigate the costs incurred by those reselling agents licensed and selling spirits to on-premises licensees as of July 1, 2016.

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Public Law 2015, chapter 430 was enacted as an emergency measure effective April 5, 2016.

LD 1484 An Act Regarding the Election Laws

PUBLIC 447
EMERGENCY

<u>Sponsor(s)</u>	<u>Committee Report</u>	<u>Amendments Adopted</u>
CYRWAY S LUCHINI L	OTP-AM	S-350 S-359 CYRWAY S

This bill makes the following changes to the election laws.

1. It adds a restriction that a registrar may not serve during an election when an immediate family member of the registrar is a candidate for federal office and clarifies the language regarding compensation. The current restriction applies only to candidates for state, local or county offices.
2. It removes provisions regarding the use of a supplemental incoming voting list.
3. It clarifies the requirements for how a voter's name and prior voting residence address must be provided on a voter registration application.
4. It updates the list of the outside agencies that must provide voter registration pursuant to the National Voter Registration Act of 1993.
5. It clarifies that an individual or organization is entitled to obtain voter registration data if that individual or organization is engaged in a "get out the vote" effort for a specific campaign.
6. It provides that when there is no candidate for a primary election office who has qualified by primary petition or as a declared write-in candidate, the Secretary of State is not required to list that office on the primary ballot.
7. It provides that the written acceptance for a replacement candidate must include a place for the registrar in the candidate's municipality of residence to certify the candidate's registration and enrollment status.
8. It changes the deadline for a candidate to withdraw and be replaced from 60 days to 70 days before the primary or general election.
9. It clarifies that a candidate may withdraw and be replaced if the candidate is incapacitated by a condition or injury and requires a certificate signed by a single licensed physician to accompany the withdrawal request. Current law provides only for incapacitation due to an illness and requires a certificate signed by two licensed physicians.
10. It changes the deadline for a nonparty candidate for Vice President to withdraw and be replaced from 60 days to 70 days before the general election.
11. It provides that if a candidate or nominee for a federal or gubernatorial office withdraws less than 70 days before any election, the Secretary of State is not required to produce new ballots.
12. It adds the restriction that a municipal clerk may not serve as the supervisor of an election when a member of the municipal clerk's immediate family is a candidate for federal, state, county or local office.
13. It changes from 30 to 60 days prior to an election the date by which the municipal clerk must file a report that includes the voting place location, the poll opening time and the number of voting booths to be used.
14. It clarifies the voting procedure by combining the steps of checking voter names on the incoming voting list and

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giving the ballot to the voter in the same provision of law. It prohibits the practice of handing out the ballot at a separate location from the incoming voting list.

15. It clarifies that it is a violation of law to display, as well as distribute, campaign materials within 250 feet of the entrance to either the voting place or the registrar's office.

16. It provides that the Secretary of State may send a courier to a municipality that is late in filing an election return after the election and that the municipality must provide a certified copy of the return to the courier and reimburse the Secretary of State for the costs of the courier.

17. It extends the deadlines after an election by which the municipal clerk and the registrar of voters must complete updates to the central voter registration system.

18. It changes the filing deadline for a declaration of write-in candidacy from 45 days to 60 days before the election.

19. It allows the Secretary of State, in agreement with the parties involved in a recount of a statewide office or referendum or an office or referendum that encompasses more than one county, to retrieve the ballots and conduct the recount in stages.

20. It clarifies the provision of law that provides that an apparent winning candidate may request a recount if the official tabulation of the vote communicated to the Governor shows that candidate as the losing candidate.

21. It lowers the threshold for requiring a deposit of \$500 in order for a candidate to request a recount.

22. It provides that a municipality may opt to process absentee ballots as early as the fourth day before the election. It also authorizes the Secretary of State to make available high-speed ballot tabulators for absentee ballots and to allow a municipality to bring absentee ballots to a state-designated central location for tabulating by the high-speed ballot tabulators as long as security guidelines are properly followed.

23. It imposes a deadline of 5:00 p.m. on election day for a uniformed service or overseas voter to submit a voter registration application or absentee ballot request in order to qualify for a ballot for that election.

Committee Amendment "A" (S-350)

The bill adds a restriction that a registrar may not serve during an election when an immediate family member of the registrar is a candidate for federal office. This amendment provides that in addition to the bill's changes a registrar may not serve as registrar when the registrar is a candidate for federal, state, local or county office. This amendment removes a provision in the bill that limits the representation of a voter's legal name on a voter registration application to only one middle name or one middle initial. The amendment adds language that provides that the Secretary of State is not required to print a primary ballot if there are no offices for which a candidate has qualified either by petition or as a write-in candidate. Finally, the amendment strikes the provision in the bill pertaining to when a municipal clerk is ineligible to serve as the supervisor of elections.

Senate Amendment "A" (S-359)

This amendment removes the provision of the bill that allows a municipality to process absentee ballots as early as the fourth day before the election and authorizes the Secretary of State to make available high-speed ballot tabulators for absentee ballots and to allow a municipality to bring absentee ballots to a state-designated central location for tabulating by the high-speed ballot tabulators as long as security guidelines are properly followed.

Enacted Law Summary

Public Law 2015, chapter 447 makes the following changes to the election laws.

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1. It adds a restriction that a registrar may not serve during an election when an immediate family member of the registrar is a candidate for federal office. Under current law, this limitation for a registrar serving during an election already applies when an immediate family member is a candidate for state, local or county office. Under chapter 447, this restriction also applies if the registrar is a candidate for federal, state local, or county office.
2. It removes provisions regarding the use of a supplemental incoming voting list because implementation of the central voter registration system has eliminated the need for generating a supplemental list.
3. It clarifies the requirements for how a voter's name and prior voting residence address must be provided on a voter registration application. The requirements still permit the use of more than one middle name or middle initial on the application.
4. It updates the list of the outside agencies that must provide voter registration pursuant to the National Voter Registration Act of 1993.
5. It clarifies that an individual or organization is entitled to obtain voter registration data if that individual or organization is engaged in a "get out the vote" effort when that effort is targeted towards a specific campaign.
6. It provides that when there is no candidate for a primary election office who has qualified by primary petition or as a declared write-in candidate, the Secretary of State is not required to list that office on the primary ballot. Under this law, the Secretary of State is not required to print a primary ballot at all if there are no offices on that ballot for which a candidate has qualified by primary petition or as a declared write-in candidate.
7. It provides that the written acceptance for a replacement candidate must include a place for the registrar in the candidate's municipality of residence to certify the candidate's registration and enrollment status.
8. It changes the deadline for a candidate to withdraw and be replaced from 60 days to 70 days before the primary or general election.
9. It clarifies that a candidate may withdraw and be replaced if the candidate is incapacitated by a condition or injury and requires a certificate signed by a single licensed physician to accompany the withdrawal request. Current law provides only for incapacitation due to an illness and requires a certificate signed by two licensed physicians.
10. It changes the deadline for a nonparty candidate for Vice President to withdraw and be replaced from 60 days to 70 days before the general election.
11. It provides that if a candidate or nominee for a federal or gubernatorial office withdraws less than 70 days before any election, the Secretary of State is not required to produce new ballots.
12. It changes from 30 to 60 days prior to an election the date by which the municipal clerk must file a report that includes the voting place location, the poll opening time and the number of voting booths to be used.
13. It clarifies the voting procedure by combining the steps of checking voter names on the incoming voting list and giving the ballot to the voter in the same provision of law. It prohibits the practice of handing out the ballot at a separate location from the incoming voting list.
14. It clarifies that it is a violation of law to display, as well as distribute, campaign materials within 250 feet of the entrance to either the voting place or the registrar's office.
15. It provides that the Secretary of State may send a courier to a municipality that is late in filing an election return after the election and that the municipality must provide a certified copy of the return to the courier and reimburse the Secretary of State for the costs of the courier.

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- 16. It extends the deadlines after an election by which the municipal clerk and the registrar of voters must complete updates to the central voter registration system.
- 17. It changes the filing deadline for a declaration of write-in candidacy from 45 days to 60 days before the election.
- 18. It allows the Secretary of State, in agreement with the parties involved in a recount of a statewide office or referendum or an office or referendum that encompasses more than one county, to retrieve the ballots and conduct the recount in stages.
- 19. It clarifies the provision of law that provides that an apparent winning candidate may request a recount if the official tabulation of the vote communicated to the Governor shows that candidate as the losing candidate.
- 20. It lowers the threshold for requiring a deposit of \$500 in order for a candidate to request a recount.
- 21. It imposes a deadline of 5:00 p.m. on election day for a uniformed service or overseas voter to submit a voter registration application or absentee ballot request in order to qualify for a ballot for that election.

Public Law 2015, chapter 447 was enacted as an emergency measure effective April 10, 2016.

**LD 1508 An Act Regarding the Distribution and Off-site Storage of Spirits by
Licensed Reselling Agents PUBLIC 434**

<u>Sponsor(s)</u>	<u>Committee Report</u>	<u>Amendments Adopted</u>
LUCHINI L THIBODEAU M	OTP OTP-AM	H-570

This bill amends current law governing a licensed reselling agent's licensed off-site facility. The bill authorizes a licensed reselling agent to sell spirits to an on-premises licensee at the reselling agent's liquor store location or at the licensed off-site facility.

Committee Amendment "A" (H-570)

This amendment, which is the minority report of the committee, maintains the provision in the bill that permits a reselling agent to process sales of spirits to on-premises licensees from the agent's licensed off-site facility but provides that the off-site facility must be located within five miles of the reseller's agency store location. Current law states that the off-site facility may be located up to 30 miles from the agency store.

Enacted Law Summary

Public Law 2015, chapter 434 permits a reselling agent to process sales of spirits to on-premises licensees from the agent's licensed off-site facility but provides that the off-site facility, must be located within five miles of the reseller's agency store location. Prior to this law being enacted, an off-site facility could be located within 30 miles of the reseller's agency store.

**LD 1509 An Act To Simplify the Filing of Campaign Independent Expenditure
and 24-hour Reports ONTP**

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

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This bill narrows the requirement for political action committees, ballot question committees and party committees to disclose within 24 hours expenditures greater than \$1,000 made in the last 13 days before an election. The 24-hour reporting requirement is limited to expenditures for communications to voters to influence a ballot measure, expenditures for polling activities and expenditures in the form of contributions to a political action committee, party committee, ballot question committee or candidate.

The bill permits organizations making independent expenditures to affirm in writing or electronically that the expenditure was made independently of candidates in the race without requiring that the statement be made under oath.

LD 1510 An Act To Improve the Disclosure of Financial Activities by Political Action Committees and Ballot Question Committees

PUBLIC 408

<u>Sponsor(s)</u>	<u>Committee Report</u>	<u>Amendments Adopted</u>
LUCHINI L	OTP-AM	H-527

This bill amends the law governing campaign financing and reporting by:

1. Clarifying that the definition of "political action committee" does not apply to an individual;
2. Requiring political action committees to register with the Commission on Governmental Ethics and Election Practices within seven days of receiving contributions totaling more than the applicable threshold of \$1,500 or \$5,000;
3. Requiring ballot question committees to register with the Commission on Governmental Ethics and Election Practices in a manner similar to political action committees, including appointing a principal officer who would be jointly liable with the committee and the committee treasurer for penalties assessed against the committee;
4. Establishing a uniform threshold of \$100 for both political action committees and ballot question committees regarding political contributions in campaign finance reports; and.
5. Modifying the criteria for when a political action committee must report a contribution made for the purpose of influencing a candidate or ballot question election.

Committee Amendment "A" (H-527)

This amendment removes the provisions in the bill that increase the threshold for itemizing expenditures for political action committees from \$50 to \$100. Under the amendment both political action committees and ballot question committees are required to itemize expenditures exceeding \$50. The amendment also removes the provision in the bill that establishes a framework for reporting by political action committees and ballot question committees of contributions received from multipurpose organizations for the purpose of influencing a candidate election or ballot question.

Enacted Law Summary

Public Law 2015, chapter 408 amends the law governing campaign financing and reporting. It clarifies that the definition of "political action committee" does not apply to an individual and requires political action committees to register with the Commission on Governmental Ethics and Election Practices within seven days of receiving contributions totaling more than the applicable threshold of \$1,500 or \$5,000.

Chapter 408 also requires ballot question committees to register with the Commission on Governmental Ethics and Election Practices in a manner similar to political action committees, including appointing a principal officer who

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would be jointly liable with the committee and the committee treasurer for penalties assessed against the committee.

Finally, this law establishes a uniform threshold of \$50 for both political action committees and ballot question committees regarding reporting political contributions in campaign finance reports.

LD 1511 An Act To Allow Retailers To Return Promotional Alcoholic Beverages to Wholesalers **ONTP**

<u>Sponsor(s)</u>	<u>Committee Report</u>	<u>Amendments Adopted</u>
HERBIG E THIBODEAU M	ONTP	

This bill changes the liquor laws to allow an off-premises retail licensee to return promotional alcoholic beverages to a licensed wholesaler.

LD 1520 An Act To Amend Maine's Military Bureau Laws **ONTP**

<u>Sponsor(s)</u>	<u>Committee Report</u>	<u>Amendments Adopted</u>
HANINGTON S CYRWAY S	ONTP	

This bill adds the office of the state judge advocate to the definition of "criminal justice agency." It also amends the laws regarding rights and liabilities of state military forces members by providing members with immunity for the use of deadly force under certain conditions and by providing that Army National Guard and Air National Guard military police officers and security forces have certain rights of law enforcement officers.

LD 1524 An Act To Update the Laws Governing the Maine Veterans' Homes **PUBLIC 397**

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

This bill updates the laws governing the Maine Veterans' Homes and repeals outdated provisions. It removes references to specific veterans' home locations. It increases the borrowing authority of the Maine Veterans' Homes from \$15,000,000 to \$50,000,000. It repeals a requirement that the Maine Veterans' Homes develop and implement a geriatric training program. It changes the title of the position of the person who administers the homes from administrator to chief executive officer. It repeals a requirement relating to payment of costs by veterans admitted to the homes. It repeals a requirement that excess funds be transferred to the General Fund. It repeals a provision relating to the use of stipend funds. It makes changes to an annual reporting requirement. It also makes technical changes to provide consistent reference to the Maine Veterans' Homes.

Committee Amendment "A" (S-368)

This amendment, which is the minority report, maintains existing law that prescribes the number of beds at various Maine Veterans' Homes locations but strikes the provisions that establish the number of beds that certain facilities may not exceed. The amendment maintains the requirement that some facilities have a specific number of beds dedicated to dementia patients. The bill proposes to remove any specific requirements for the number of beds at any facility and for the location of the facilities, which have already been constructed.

This amendment was not adopted.

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Enacted Law Summary

Public Law 2015, chapter 397 updates the laws governing the Maine Veterans' Homes and repeals outdated provisions, including removing reference to specific veterans' home locations. It increases the borrowing authority of the Maine Veterans' Homes from \$15,000,000 to \$50,000,000. It repeals a requirement that the Maine Veterans' Homes develop and implement a geriatric training program and changes the title of the position of the person who administers the homes from administrator to chief executive officer. It repeals a requirement relating to payment of costs by veterans admitted to the homes. Chapter 397 repeals a requirement that excess funds be transferred to the General Fund and provisions relating to the use of stipend funds. Finally, this law makes changes to an annual reporting requirement.

LD 1539 An Act To Expand the Early Processing of Absentee Ballots

**PUBLIC 406
EMERGENCY**

<u>Sponsor(s)</u>	<u>Committee Report</u>	<u>Amendments Adopted</u>
O'CONNOR B	OTP-AM	H-560

This bill provides that a municipality may opt to process absentee ballots as early as the fourth day before the election. It also authorizes the Secretary of State to make available high-speed tabulators for absentee ballots and to allow a municipality to bring absentee ballots to a central location for tabulating by the high-speed tabulators as long as security guidelines are properly followed.

Committee Amendment "A" (H-560)

This amendment provides that a municipality may opt to process absentee ballots on the third day prior to election day, unlike the bill, which permits absentee ballot processing on the third and fourth days. The amendment clarifies that any person may request an opportunity to inspect ballots subject to early processing if that person provides notice by 9:00 a.m. on the day the ballots will be processed. This amendment strikes the portion of the bill that allows municipalities to use a high-speed tabulator at a central location for counting absentee ballots.

Finally, this amendment adds an emergency preamble and emergency clause to the bill.

Enacted Law Summary

Public Law 2015, chapter 406 provides that a municipality may opt to process absentee ballots on the third day prior to election day. It also clarifies that any person may request an opportunity to inspect ballots subject to early processing if that person provides notice by 9:00 a.m. on the day the ballots will be processed.

Public Law 2015, chapter 406 was enacted as an emergency measure effective March 24, 2016.

LD 1557 An Act To Establish Ranked-choice Voting

INDEF PP

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

This bill was not referred to committee.

This initiated bill provides for the establishment of ranked-choice voting for the offices of United States Senator, United States Representative to Congress, Governor, State Senator and State Representative for elections held on or after January 1, 2018. Ranked-choice voting is a method of casting and tabulating votes in which voters rank

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candidates in order of preference, tabulation proceeds in rounds in which last-place candidates are defeated and the candidate with the most votes in the final round is elected.

LD 1574 An Act To Protect Maine Voters from Intimidating Video Recording at the Polls PUBLIC 422

<u>Sponsor(s)</u>	<u>Committee Report</u>	<u>Amendments Adopted</u>
DIAMOND G VEROW A	OTP-AM ONTP	S-366 S-431 DIAMOND G

This bill provides that videotaping in the voting place must be located outside the guardrail enclosure a minimum of 15 feet away from a voter being videotaped, including a voter at a location where a person is collecting voters' signatures.

Committee Amendment "A" (S-366)

This amendment, which is the majority report of the committee, replaces the term "videotaping" with "video recording." It also clarifies that video recording a voter in violation of the 15-foot buffer established by the bill may result in the person's being removed from the voting place at the direction of the warden.

Senate Amendment "A" To Committee Amendment "A" (S-431)

The bill, as amended by Committee Amendment "A," authorizes the warden to remove from the voting place a person who is video recording closer than 15 feet from a voter being recorded. This amendment instead provides that it is the municipal clerk, at the recommendation of the warden, who is authorized to remove such a person.

Enacted Law Summary

Public Law 2015, chapter 422 provides that video recording in the voting place must be located outside the guardrail enclosure a minimum of 15 feet away from a voter being video recorded, including a voter at a location where a person is collecting voters' signatures. Recording a voter in violation of the 15-foot buffer may result in the person being removed from the voting place by a municipal clerk at the recommendation of the warden.

LD 1610 An Act To Clarify the Laws Governing Certain Benefits Provided to Veterans and Military Service Members Died On Adjournment

<u>Sponsor(s)</u>	<u>Committee Report</u>	<u>Amendments Adopted</u>
	OTP-AM	H-583

This bill was reported by the committee pursuant to Resolve 2015, chapter 19 and then referred back to the committee for processing in the normal course.

This bill implements the recommendations of a subcommittee established to streamline the criteria for the delivery and administration of state-established services and benefits to veterans and military service members in the State. The bill repeals the definition of "wartime veteran" with regard to small business loans administered by the Finance Authority of Maine. It provides an alternative to license plates as a method of showing eligibility for free day-use admission to state parks by disabled veterans by directing the Secretary of State to provide for a sticker to be placed on the veteran's driver's license or state identification card. The bill also provides that a person with a veterans registration plate that is also a vanity plate is not required to pay the annual service fee for the vanity plate after an initial \$25 fee is paid. The bill clarifies references to veterans and military service members in the law governing the application of veteran preferences for rental housing administered through municipal housing authorities. Finally, the bill codifies in statute a provision currently in rule that requires the Adjutant General to issue an annual

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report on the expenditures made from the Maine Military Family Relief Fund.

Committee Amendment "A" (H-583)

This amendment provides that free day use passes to state parks and historic sites granted to veterans and active military service members are extended to their spouses and children 21 years of age and younger. It also provides for alternative methods to demonstrate eligibility for free admission for veterans, disabled veterans and active military service members. The amendment makes a technical change to the provision requiring reporting on expenditures made from the Maine Military Family Relief Fund and provides that the report is only required every odd-numbered year. The amendment also adds an appropriations and allocations section.

LD 1611 An Act To Implement the Recommendations of the Commission To Strengthen and Align the Services Provided to Maine's Veterans by Establishing an Interagency Council To Coordinate Services for Homeless Veterans

INDEF PP

Sponsor(s)

Committee Report

Amendments Adopted

This bill was reported by the committee pursuant to Resolve 2015, chapter 48 and then referred back to the committee for processing in the normal course.

This bill implements certain recommendations made by the Commission To Strengthen and Align the Services Provided to Maine's Veterans. The bill establishes an interagency council to address homelessness among veterans by maximizing existing services, enhancing communication among providers and improving access to services that support permanent and stable housing for veterans.

This bill, as amended, was incorporated into LD 1612, which was enacted as Public Law 2015, chapter 465.

Committee Amendment "A" (H-582)

This amendment replaces the bill. Like the bill, the amendment implements a recommendation of the Commission To Strengthen and Align Services Provided to Maine's Veterans regarding homelessness among veterans by requiring coordination of agencies that provide services to veterans to maximize resources available to support stable, permanent housing for veterans at risk of homelessness. The bill establishes a new interagency council under the Department of Defense, Veterans and Emergency Management, Bureau of Maine Veterans' Services. The amendment requires an existing entity, the Statewide Homeless Council, to develop a strategic plan similar to the plan in the bill. The amendment also requires that the Director of the Bureau of Maine Veterans' Services report annually to the joint standing committee of the Legislature having jurisdiction over veterans affairs regarding the implementation of the plan and its effect on homelessness among veterans.

The amendment also establishes an additional Veterans Service Officer position responsible in part for coordinating efforts to address homelessness among veterans in the State. The amendment also adds an appropriations and allocations section.

This amendment was not adopted.

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LD 1612 An Act To Improve the Delivery of Services and Benefits to Maine's Veterans and Provide Tuition Assistance to Members of the Maine National Guard

PUBLIC 465

<u>Sponsor(s)</u>	<u>Committee Report</u>	<u>Amendments Adopted</u>
	OTP-AM	H-584 H-626 KINNEY J

This bill was reported by the committee pursuant to Resolve 2015, chapter 48 and then referred back to the committee for processing in the normal course.

This bill implements certain recommendations of the Commission To Strengthen and Align the Services Provided to Maine's Veterans. The bill requires the Director of the Bureau of Maine Veterans' Services within the Department of Defense, Veterans and Emergency Management to include marketing and outreach objectives as a core function of the bureau. The marketing and outreach objectives are intended to identify residents in the State who are veterans and also to maximize awareness of benefits and services available to veterans and family members of veterans. The bill also directs the bureau to acquire and implement an electronic records management system to create efficiencies and improve customer service to veterans seeking assistance from the bureau. The bill clarifies that the bureau's purpose includes serving as the primary source of information for veterans regarding the services, benefits and honors provided to veterans. The bill requires a veterans' service organization that receives funds from the Coordinated Veterans Assistance Fund to provide the Director of the Bureau of Maine Veterans' Services with data demonstrating that the funds are being used to assist veterans in filing claims with the United States Department of Veterans Affairs.

Committee Amendment "A" (H-584)

This amendment specifies the agencies with which the Director of the Bureau of Maine Veterans' Services within the Department of Defense, Veterans and Emergency Management is authorized to enter into memoranda of understanding to help achieve the marketing and outreach program objectives outlined in the bill. The amendment specifies that the records management system is intended to help the bureau meet certain outcomes. The bill states that the system itself must be capable of meeting those outcomes. It also removes the requirement that the records management system be capable of identifying burial locations on maps of the Maine Veterans' Memorial Cemetery System. The amendment strikes the provision in the bill that requires a veterans' service organization that receives funds from the Coordinated Veterans Assistance Fund to provide the Director of the Bureau of Maine Veterans' Services with data demonstrating that the funds are being used to assist veterans in filing claims with the United States Department of Veterans Affairs. It also strikes the provision in the bill that requires the director to regularly conduct an assessment of the number and geographic distribution of veteran service officers employed by the bureau. Finally, the amendment adds an appropriations and allocations section that provides for funding for the records management system required by the bill, two additional veterans service officers to be employed by the bureau and funding to make permanent the position of Veterans Outreach Specialist, which is currently a two year contracted position.

House Amendment "C" To Committee Amendment "A" (H-626)

Like the bill, this amendment implements recommendations of the Commission To Strengthen and Align the Services Provided to Maine's Veterans. This amendment also combines proposals from five bills LDs: 1343, 1590, 1611, 1612 and 1625, which improve the delivery of services and benefits to Maine veterans and provide tuition assistance to members of the Maine National Guard.

Part A requires the Director of the Bureau of Maine Veterans' Services within the Department of Defense, Veterans and Emergency Management to include marketing and outreach objectives as a core function of the bureau. The marketing and outreach objectives are intended to identify residents in the State who are veterans and also to

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maximize awareness of benefits and services available to veterans and family members of veterans. Part A also directs the bureau to acquire and implement an electronic records management system to create efficiencies and provide timely and effective customer service to veterans seeking assistance from the bureau. The bureau is required to serve as the primary source of information for veterans regarding the services, benefits and honors provided to veterans. Part A requires the director to employ two additional veteran service officers who are not assigned to a particular region but who will be directed to where the service needs of veterans are greatest and makes a current temporary position of outreach coordinator permanent.

Part B proposes changes to current law to address homelessness among veterans by requiring coordination of agencies that provide services to veterans to maximize resources available to support stable, permanent housing for veterans at risk of homelessness. Part B requires that the Director of the Bureau of Maine Veterans' Services within the Department of Defense, Veterans and Emergency Management be appointed to an existing entity, the Statewide Homeless Council. Part B requires the Statewide Homeless Council to develop a strategic plan to maximize existing services, enhance communication among providers and improve access to services that support permanent and stable housing for veterans. The director is required to report annually to the joint standing committee of the Legislature having jurisdiction over veterans affairs regarding the implementation of the plan and its effect on homelessness among veterans. Part B authorizes the director to employ a veteran service officer whose duties include working on tasks relative to homelessness among veterans.

Part C provides a sales tax exemption to all federally chartered veterans' service organizations, beginning August 1, 2016.

Part D establishes the Maine National Guard Postsecondary Fund to provide for a 100% tuition waiver at any state postsecondary education institution for qualified members of the Maine National Guard. Part D also transfers funds to the new fund for the costs of the tuition waiver program.

Part E directs the University of Maine System and the Maine Community College System to identify the needs of student-veterans on their campuses, including needs related to admission, degree completion, transitioning to civilian life and meeting personal and financial obligations, and directs the University of Maine System and the Maine Community College System to identify existing services that meet the needs identified, assess the effectiveness of those services, determine what services are not being offered that, if offered, would meet those needs and propose services and solutions that fulfill those needs across campuses that are based upon best practices.

Part F provides for allocations to fund the initiatives proposed in this amendment including deappropriating debt service funds from the University of Maine in order to fund the tuition waiver for qualified members of the Maine National Guard and transferring funds from the Gambling Control Board necessary to offset the costs of the other initiatives.

Enacted Law Summary

Public Law 2015, chapter 465 implements recommendations of the Commission To Strengthen and Align the Services Provided to Maine's Veterans and incorporates proposals included in various bills regarding veterans and members of the Maine National Guard. It combines proposals from five LDs: 1343, 1590, 1611, 1612 and 1625, which improve the delivery of services and benefits to Maine veterans and provide tuition assistance to members of the Maine National Guard.

Chapter 465 makes several changes to the law with regard to the Bureau of Veterans Services. It requires the Director of the Bureau of Maine Veterans' Services to include marketing and outreach objectives as a core function of the bureau. The marketing and outreach objectives are intended to identify residents in the State who are veterans and also to maximize awareness of benefits and services available to veterans and family members of veterans. Chapter 465 also directs the bureau to acquire and implement an electronic records management system to create efficiencies and provide timely and effective customer service to veterans seeking assistance from the bureau. The bureau is required to serve as the primary source of information for veterans regarding the services, benefits

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and honors provided to veterans. Under this law, the director is required to employ two additional veteran service officers who are not assigned to a particular region but who will be directed to where the service needs of veterans are greatest and makes a current temporary position of outreach coordinator permanent.

Public Law 2015, chapter 48 includes changes to current law to address homelessness among veterans by requiring coordination of agencies that provide services to veterans to maximize resources available to support stable, permanent housing for veterans at risk of homelessness. Under this law, the Director of the Bureau of Maine Veterans' Services is appointed to an existing entity, the Statewide Homeless Council. Chapter 465 requires the Statewide Homeless Council to develop a strategic plan to maximize existing services, enhance communication among providers and improve access to services that support permanent and stable housing for veterans. The director is required to report annually to the joint standing committee of the Legislature having jurisdiction over veterans affairs regarding the implementation of the plan and its effect on homelessness among veterans. Additionally, the law authorizes the director to employ a veteran service officer whose duties include working on tasks relative to homelessness among veterans.

Chapter 465 provides a sales tax exemption to all federally-chartered veterans' service organizations, beginning August 1, 2016.

This law establishes the Maine National Guard Postsecondary Fund to provide for a 100% tuition waiver at any state postsecondary education institution for qualified members of the Maine National Guard. It also transfers funds to the new fund for the costs of the tuition waiver program.

Part of chapter 465 directs the University of Maine System and the Maine Community College System to identify the needs of student-veterans on their campuses, including needs related to admission, degree completion, transitioning to civilian life and meeting personal and financial obligations, and directs the University of Maine System and the Maine Community College System to identify existing services that meet the needs identified, assess the effectiveness of those services, determine what services are not being offered that, if offered, would meet those needs and propose services and solutions that fulfill those needs across campuses that are based upon best practices.

Finally, this law provides for allocations to fund the initiatives proposed in this amendment including deappropriating debt service funds from the University of Maine in order to fund the tuition waiver for qualified members of the Maine National Guard and transferring funds from the Gambling Control Board necessary to offset the costs of the other initiatives.

LD 1666	Resolve, Regarding Legislative Review of Portions of Chapter 3: Maine Clean Election Act and Related Provisions, a Late-filed Major Substantive Rule of the Commission on Governmental Ethics and Election Practices	INDEF PP
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<u>Sponsor(s)</u>	<u>Committee Report</u> OTP-AM	<u>Amendments Adopted</u> H-633
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This resolve provides for legislative review of portions of Chapter 3: Maine Clean Election Act and Related Provisions, a major substantive rule of the Commission on Governmental Ethics and Election Practices that was filed outside the legislative rule acceptance period.

Committee Amendment "A" (H-633)

This amendment authorizes final adoption of portions of Chapter 3: Maine Clean Election Act and Related Provisions, a provisionally adopted major substantive rule of the Commission on Governmental Ethics and Election Practices filed after the deadline, as long as certain changes are made. The amendment requires the rules to be

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changed to clarify that the presumption that a candidate has confirmed that a person whom the candidate has authorized to collect qualifying contributions on the candidate's behalf applies only with regard to certification as a Maine Clean Election Act candidate and Maine Clean Election Fund distributions and not with regard to findings of violations for which subsequent financial penalties may be applied. The amendment also requires the rules to be changed to state that payments to persons authorized to collect qualifying contributions may be made using only seed money contributions received by the candidate.

LD 1669 An Act To Require the Bureau of Alcoholic Beverages and Lottery Operations To Provide Annual Reports on Spirits Sales Revenues and Expenditures To Promote Lottery Sales **Veto Sustained**

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

This bill was reported ought to pass by the committee pursuant to the Maine Revised Statutes, Title 3, section 955.

The bill was reported by the committee in response to the report submitted by the State Liquor and Lottery Commission and the Department of Administrative and Financial Services, Bureau of Alcoholic Beverages and Lottery Operations as required by the State Government Evaluation Act under Title 3, section 959, subsection 1, paragraph J.

The purpose of the bill is to ensure the committee has adequate information to facilitate its role of overseeing and monitoring the operation of the Maine State Lottery Commission and the State's spirits business.

The bill requires the Director of the Bureau of Alcoholic Beverages and Lottery Operations within the Department of Administrative and Financial Services to submit annual reports to the joint standing committee of the Legislature having jurisdiction over alcoholic beverages and lottery operations matters. Beginning January 15, 2017, the director is required to submit a report of expenditures made to promote lottery sales through advertising and marketing and a report on the gross revenues and operating profits from the sale of spirits in the State.

LD 1671 Resolve, Compensating Susan Cloutier for Claims against the State **RESOLVE 84**

<u>Sponsor(s)</u>	<u>Committee Report</u>	<u>Amendments Adopted</u>
HICKMAN C	OTP-AM	H-638 S-523 HAMPER J

This resolve authorizes a one-time General Fund appropriation of \$400,000 in fiscal year 2016-17, contingent upon receiving releases from claims, to compensate Susan Cloutier and her family for damages resulting from the death of her son and husband in a motor vehicle accident involving a state employee in the Department of Labor. This appropriation is in addition to settlement funds paid or to be paid through the State's self-insurance fund administered by the Department of Administrative and Financial Services, Bureau of General Services.

Committee Amendment "A" (H-638)

This amendment specifies that the funds compensating Susan Cloutier for damages resulting from the death of her son and husband in a motor vehicle accident involving a state employee in the Department of Labor are provided on a one-time basis.

Senate Amendment "A" To Committee Amendment "A" (S-523)

This amendment amends Committee Amendment "A" to remove the General Fund appropriation from the resolve

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and instead provide that \$400,000 in compensation to Susan Cloutier and members of her family is to be paid from the State's Risk Management Fund.

Enacted Law Summary

Resolve 2015, chapter 84 authorizes a one-time payment of \$400,000 from the State's Risk Management Fund in fiscal year 2016-17, contingent upon receiving releases from claims, to compensate Susan Cloutier and her family for damages resulting from the death of her son and husband in a motor vehicle accident involving a state employee in the Department of Labor. This payment is in addition to settlement funds paid or to be paid through the State's self-insurance fund administered by the Department of Administrative and Financial Services, Bureau of General Services.

LD 1673 An Act To Establish a Presidential Primary System in Maine

PUBLIC 474

<u>Sponsor(s)</u>	<u>Committee Report</u>	<u>Amendments Adopted</u>
ALFOND J PARRY W	OTP-AM ONTP	S-511

This bill amends the presidential nomination process in the State to be in place for the 2020 presidential election. The bill provides that, whenever the state committee of a party certifies that there is a contest among candidates for nomination as the presidential candidate of the party and that the committee has voted to conduct a presidential primary election, the State shall hold a presidential primary election. Under the bill, only voters who are enrolled in the party may vote in that party's presidential primary election. Under the bill, delegates to the national convention must be allocated in proportion with the candidate votes and the uncommitted votes cast in the presidential primary election of the party.

Committee Amendment "A" (S-511)

This amendment replaces the bill. Like the bill, the amendment establishes a presidential primary and requires a person seeking to be a presidential candidate to submit a nominating petition with the signatures of 2,000 to 3,000 registered voters in the State who are enrolled in the candidate's political party. The amendment provides that the Secretary of State must set the date of the primary for a Tuesday in March of a presidential election year after consulting with state party committees. The amendment directs the Secretary of State to make nominating petitions available and prepare the ballots for the presidential primary. The amendment also includes a provision that will repeal the subchapter establishing the presidential primary on December 1, 2018.

The amendment directs the Secretary of State to submit a report by December 2017 to the joint standing committee of the Legislature having jurisdiction over elections matters regarding the fiscal impacts on the State and municipalities of conducting presidential primaries. It also directs the Secretary of State to include in the report recommendations regarding the administration of presidential primaries, including any implementing legislation. These recommendations must specify the content and layout of presidential primary ballots, ensure compliance with federal law governing overseas voters and include other recommendations necessary for proper administration of a presidential primary. The joint standing committee of the Legislature having jurisdiction over elections matters may submit a bill regarding presidential primaries to the Second Regular Session of the 128th Legislature.

Enacted Law Summary

Public Law 2015, chapter 474, establishes a presidential primary and requires a person seeking to be a presidential candidate to submit a nominating petition with the signatures of 2,000 to 3,000 registered voters in the State who are enrolled in the candidate's political party. It provides that the Secretary of State must set the date of the primary for a Tuesday in March of a presidential election year after consulting with state party committees. Under this law, the Secretary of State to make nominating petitions available and prepare the ballots for the presidential primary. Unless amended otherwise, the subchapter establishing the presidential primary is repealed on December 1, 2018.

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Additionally, chapter 474 directs the Secretary of State to submit a report by December 2017 to the joint standing committee of the Legislature having jurisdiction over elections matters regarding the fiscal impacts on the State and municipalities of conducting presidential primaries. It also directs the Secretary of State to include in the report recommendations regarding the administration of presidential primaries, including any implementing legislation. These recommendations must specify the content and layout of presidential primary ballots, ensure compliance with federal law governing overseas voters and include other recommendations necessary for proper administration of a presidential primary. The joint standing committee of the Legislature having jurisdiction over elections matters may submit a bill regarding presidential primaries to the Second Regular Session of the 128th Legislature.

LD 1678 An Act To Change the Definition of "Hard Cider" for Consistency with Federal Law

PUBLIC 441

Sponsor(s)

LUCHINI L

Committee Report

OTP

Amendments Adopted

This bill amends the definition of "hard cider" to be consistent with the definition of "hard cider" in federal law as administered by the United States Department of the Treasury, Alcohol and Tobacco Tax and Trade Bureau. Like the federal definition, the change to the definition of "hard cider" in this bill takes effect on January 1, 2017. The bill increases the allowable alcohol content from 7% to 8.5% and allows hard cider to be produced from the juice of pears as well as of apples.

Enacted Law Summary

Public Law 2015, chapter 441, amends the definition of "hard cider" to be consistent with the definition of "hard cider" in federal law as administered by the United States Department of the Treasury, Alcohol and Tobacco Tax and Trade Bureau. Like the federal definition, the change to the definition of "hard cider" this law takes effect on January 1, 2017. The definition change includes an increase of the allowable alcohol content from 7% to 8.5% and allows hard cider to be produced from the juice of pears as well as of apples.

LD 1687 An Act To Assist Small Distilleries

PUBLIC 440

Sponsor(s)

LUCHINI L
COLLINS R

Committee Report

OTP

Amendments Adopted

Under current law small distillers licensed to manufacture spirits in the State are authorized to have up to two locations where they may sell their product for off-premises consumption and one license to serve alcoholic beverages for on-premises consumption. This bill provides that small distillers, distillers who produce up to 50,000 gallons annually, are not required to transport their spirits to a warehouse operated by the Department of Administrative and Financial Services, Bureau of Alcoholic Beverages and Lottery Operations or the bureau's contracted wholesaler for distribution back to the distillers' facilities where they will be sold. The bill requires that small distillers submit monthly reports to the bureau on spirits not transported to a warehouse and pay the required state liquor tax.

Enacted Law Summary

Small distillers licensed to manufacture spirits in the State are authorized to have up to two locations where they may sell their product for off-premises consumption and one license to serve alcoholic beverages for on-premises consumption. Public Law 2015, chapter 440 provides that small distillers, distillers who produce up to 50,000 gallons annually, are not required to transport their spirits to a warehouse operated by the Department of

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Administrative and Financial Services, Bureau of Alcoholic Beverages and Lottery Operations or the bureau's contracted wholesaler for distribution back to the distillers' facilities where they will be sold. Chapter 440 requires that small distillers submit monthly reports to the bureau on spirits not transported to a warehouse and pay the required state liquor tax.

LD 1688 An Act To Amend the Laws Governing Funding of Maine Clean Election Act Candidates Accepted Majority (ONTP) Report

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

This bill requires candidates for Governor to collect all seed money contributions under the Maine Clean Election Act, if any, from registered voters in the State and a candidate for State Senator or State Representative to collect all seed money contributions, if any, from registered voters in the candidate's electoral division.

LD 1690 An Act To Establish a Public Service Berthing Vessel License for the Sale of Liquor ONTP

<u>Sponsor(s)</u>	<u>Committee Report</u>	<u>Amendments Adopted</u>
MIRAMANT D HOBBINS B	ONTP	

This bill authorizes the Department of Administrative and Financial Services, Bureau of Alcoholic Beverages and Lottery Operations to issue licenses to public service berthing vessels for the sale of spirits, wine and malt liquor on overnight voyages of at least one night. The bill establishes requirements and fees for such licensing.

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SUBJECT INDEX

Alcoholic Beverages

Enacted

LD 1461	An Act To Allow All Manufacturers Licensed by the Bureau of Alcoholic Beverages and Lottery Operations To Provide Samples of Products to Retail Licensees	PUBLIC 386
LD 1466	An Act Regarding Sales Representatives Employed by Licensed Wholesalers	PUBLIC 387
LD 1467	An Act Regarding Maine Spirits	PUBLIC 430 EMERGENCY
LD 1508	An Act Regarding the Distribution and Off-site Storage of Spirits by Licensed Reselling Agents	PUBLIC 434
LD 1678	An Act To Change the Definition of "Hard Cider" for Consistency with Federal Law	PUBLIC 441
LD 1687	An Act To Assist Small Distilleries	PUBLIC 440

Not Enacted

LD 1331	An Act To Provide Enhanced Enforcement of the Laws Governing Alcoholic Beverages	Died On Adjournment
LD 1462	An Act Regarding the Sale of Alcohol by a Manufacturer with an On-premises Retail License	Died Between Houses
LD 1511	An Act To Allow Retailers To Return Promotional Alcoholic Beverages to Wholesalers	ONTP
LD 1690	An Act To Establish a Public Service Berthing Vessel License for the Sale of Liquor	ONTP

Beano and Games of Chance

Not Enacted

LD 997	Resolve, Authorizing Legislation To Streamline the Laws Governing the Licensing and Conduct of Beano and Games of Chance	Died On Adjournment
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Campaign Finance and Maine Clean Election Act

Enacted

LD 1510	An Act To Improve the Disclosure of Financial Activities by Political Action Committees and Ballot Question Committees	PUBLIC 408
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Not Enacted

LD 904	An Act To Increase Fairness in Campaign Financing	Died Between Houses
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LD 1509	An Act To Simplify the Filing of Campaign Independent Expenditure and 24-hour Reports	ONTP
LD 1666	Resolve, Regarding Legislative Review of Portions of Chapter 3: Maine Clean Election Act and Related Provisions, a Late-filed Major Substantive Rule of the Commission on Governmental Ethics and Election Practices	INDEF PP
LD 1688	An Act To Amend the Laws Governing Funding of Maine Clean Election Act Candidates	Majority (ONTP) Report

Claims Against the State

Enacted

LD 1671	Resolve, Compensating Susan Cloutier for Claims against the State	RESOLVE 84
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Not Enacted

LD 805	Resolve, Authorizing Certain Individuals To Bring Suit against the Department of Health and Human Services	Died On Adjournment
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Elections

Enacted

LD 1484	An Act Regarding the Election Laws	PUBLIC 447 EMERGENCY
LD 1539	An Act To Expand the Early Processing of Absentee Ballots	PUBLIC 406 EMERGENCY
LD 1574	An Act To Protect Maine Voters from Intimidating Video Recording at the Polls	PUBLIC 422
LD 1673	An Act To Establish a Presidential Primary System in Maine	PUBLIC 474

Harness Racing and Off-track Betting

Enacted

LD 1279	An Act To Authorize Advance Deposit Wagering for Horse Racing	PUBLIC 499
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Initiatives and Referenda

Not Enacted

LD 742	RESOLUTION, Proposing an Amendment to the Constitution of Maine To Require That Signatures on a Direct Initiative of Legislation Come from Each Congressional District	Died Between Houses
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Lottery

Not Enacted

LD 1669	An Act To Require the Bureau of Alcoholic Beverages and Lottery Operations To Provide Annual Reports on Spirits Sales Revenues and Expenditures To Promote Lottery Sales	Veto Sustained
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Maine National Guard

Not Enacted

LD 1343	An Act To Increase Access to Postsecondary Education for Maine National Guard Members	Died On Adjournment
LD 1520	An Act To Amend Maine's Military Bureau Laws	ONTP

Slot Machines and Gambling

Not Enacted

LD 1280	An Act To Provide Income Tax Relief by Expanding Gaming Opportunities	Report B (ONTP)
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Veterans

Enacted

LD 1524	An Act To Update the Laws Governing the Maine Veterans' Homes	PUBLIC 397
LD 1612	An Act To Improve the Delivery of Services and Benefits to Maine's Veterans and Provide Tuition Assistance to Members of the Maine National Guard	PUBLIC 465

Not Enacted

LD 1610	An Act To Clarify the Laws Governing Certain Benefits Provided to Veterans and Military Service Members	Died On Adjournment
LD 1611	An Act To Implement the Recommendations of the Commission To Strengthen and Align the Services Provided to Maine's Veterans by Establishing an Interagency Council To Coordinate Services for Homeless Veterans	INDEF PP

Voting

Not Enacted

LD 1557	An Act To Establish Ranked-choice Voting	INDEF PP
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