

**STATE OF MAINE**  
123<sup>RD</sup> LEGISLATURE  
SECOND REGULAR AND FIRST SPECIAL SESSIONS



Summaries of bills, adopted amendments and laws enacted or finally passed  
during the Second Regular or First Special Sessions of the 123<sup>rd</sup> Maine  
Legislature coming from the

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

May 2008

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# Joint Standing Committee on Legal and Veterans Affairs

## LD 701 An Act To Authorize the Operation of Slot Machines on Indian Island in Old Town

VETOED

<u>Sponsor(s)</u>	<u>Committee Report</u>	<u>Amendments Adopted</u>
LORING SCHNEIDER	OTP-AM	H-788 H-923 PATRICK S-582 MARRACHE

This bill allows the Penobscot Nation to operate 400 of the 1,500 slot machines authorized pursuant to law on Indian Island in Old Town. These machines are subject to regulation by the Gambling Control Board. One percent of gross slot machine income must be distributed to the Treasurer of State for deposit in the General Fund. The Penobscot Nation retains the net slot machine income.

### Committee Amendment "B" (H-788)

This amendment replaces the bill. The amendment allows for 400 slot machines, to be operated by a federally recognized Indian tribe that is licensed to conduct high-stakes beano as of January 1, 2007. The license would be subject to existing licensing requirements and oversight by the Gambling Control Board. The initial license fee for the slot machine license established by this amendment, based on the maximum of 400 machines, is \$55,000 and the annual renewal fee is \$20,000. One percent of the gross slot machine revenue would be required to be deposited to the General Fund. Thirty-eight percent of the net slot machine revenue from slot machines operated by a federally recognized Indian tribe under this amendment would be distributed as follows:

1. Three percent to the General Fund for administrative expenses of the board, including gambling addiction counseling services, in accordance with rules adopted by the board;
2. Two and one half percent to the University of Maine System Scholarship Fund;
3. Two and one half percent to the Maine Community College System to fund its scholarships program;
4. Five percent to the Maine Community College System;
5. Five percent to the Department of Defense, Veterans and Emergency Management, Bureau of Maine Veterans' Services;
6. Five percent to the Maine Technology Institute;
7. Five percent, in equal amounts, to nonprofit organizations licensed as of January 1, 2007 to conduct beano within 75 miles of where slot machines are operated by a federally recognized Indian tribe in the State;
8. Five percent to the bordering municipality with the highest population where slot machines are operated by a federally recognized Indian tribe that is licensed to conduct high-stakes beano; and
9. Five percent to be distributed to other federally recognized Indian tribes in the State that are not licensed to operate slot machines.

### House Amendment "B" (H-923)

This amendment incorporates the changes made by House Amendment "A" to Committee Amendment "B" and reduces the initial application fee and the annual renewal fee for a license to operate slot machines held by a federally recognized Indian tribe licensed to operate high-stakes beano to reflect the lower number of slot machines that are authorized to be operated.

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## Senate Amendment "A" (S-582)

This amendment restricts eligibility for a license to operate slot machines to a federally recognized Indian tribe located on Indian Island.

### LD 1150 An Act To Establish Random Audits of Voting Machines

ONTP

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

This bill, which was carried over from the First Regular Session, establishes a procedure for regular scientific audits of the State's election machinery on a biennial basis, by means of manually recounting the ballots from a random sample from all voting machines in the State. The bill also establishes an escalating recount procedure in the event that unacceptable discrepancies are discovered during the random sample recount process, and it mandates the regular statistical analysis of those discrepancies. This bill establishes the Maine Electoral Transparency Fund to provide reimbursement for costs incurred in performing the recounts. Resources of the fund come from an income tax check off and voluntary contributions.

### LD 1393 An Act Regarding Grassroots Lobbying

DIED BETWEEN  
HOUSES

<u>Sponsor(s)</u>	<u>Committee Report</u>	<u>Amendments Adopted</u>
	OTP-AM	S-479

This bill amends the definition of "expenditure" and adds the term "domestic partner" in the definition of "immediate family" in the laws governing lobbyist disclosure procedures. It repeals the Maine Revised Statutes, Title 3, section 315, which was replaced by section 315-A. It provides the Commission on Governmental Ethics and Election Practices the authority to audit and investigate information contained in lobbyists' and employers' registrations and reports and grants the commission subpoena power to accomplish this.

LD 1393 was carried over from the First Regular Session to be used as a vehicle to consider proposals regarding lobbying and lobbyist disclosure made by other bills that were voted ought not to pass.

#### Committee Amendment "A" (S-479)

This amendment replaces the bill. The amendment defines "grassroots lobbying." It provides that a person who already files reports as a lobbyist must disclose grassroots lobbying payments and expenditures in their monthly reports. For a person who does not file reports as a lobbyist, the amendment requires disclosure of grassroots lobbying expenditures once \$2,000 has been spent on grassroots lobbying.

### LD 1394 An Act Regarding Campaign Finance Disclosure by Political Action Committees

PUBLIC 477

<u>Sponsor(s)</u>	<u>Committee Report</u>	<u>Amendments Adopted</u>
	OTP-AM	S-402

This bill, which was carried over from the First Regular session, defines a political action committee as an organization whose major purpose is to influence elections and that raises or spends more than \$1,500 to influence

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an election. The definition also refers to a separate or segregated fund established to influence elections. The bill also requires that an organization that does not have a major purpose to influence elections form an affiliated political action committee if the organization spends more than \$5,000 in any calendar year to influence an election. The bill also establishes how a political action committee affiliated with another organization must report contributions, funds transfers and donated staff time from that organization. The bill repeals the Maine Revised Statutes, Title 21-A, section 1056-B, which required reports from any person other than a political action committee than raised or spent more than \$1,500 to influence an election.

### **Committee Amendment "A" (S-402)**

This amendment replaces the bill. It amends the definition of "political action committee" by adding clarifying language and by including in the definition, any organization whose major purpose is not influencing candidate elections but spends more than \$5,000 in a calendar year for the purpose of influencing the nomination or election of any candidate to political office. The amendment specifies that political action committees must file a report with the Commission on Governmental Ethics and Election Practices within 7 days of meeting the definition of "political action committee" and clarifies what must be included in the report. This amendment also changes the reporting threshold from \$1,500 to \$5,000 for persons who are not political action committees but make expenditures, including paid staff resources, for the purposes of influencing a ballot measure. Those required to file a report under this requirement are called ballot question committees. Ballot question committees, under this amendment, are required to report expenditures and contributions from a single source aggregating in excess of \$100 in any election that were made for the purpose of influencing a ballot measure. The amendment specifies what is considered a contribution for the purposes of filing a ballot measure committee report and details record-keeping requirements.

### **Enacted Law Summary**

Public Law 2007, chapter 477 amends the definition of "political action committee" by adding clarifying language and by including in the definition, any organization whose major purpose is not influencing candidate elections but spends more than \$5,000 in a calendar year for the purpose of influencing the nomination or election of any candidate to political office. It specifies that political action committees must file a report with the Commission on Governmental Ethics and Election Practices within 7 days of meeting the definition of "political action committee" and clarifies what must be included in the report. It also changes the reporting threshold from \$1,500 to \$5,000 for persons who are not political action committees but make expenditures, including paid staff resources, for the purposes of influencing a ballot measure. Those who file a report under this requirement are called ballot question committees. Under chapter 477, ballot question committees, are required to report expenditures and contributions from a single source aggregating in excess of \$100 in any election that were made for the purpose of influencing a ballot measure. Finally, this law specifies what is considered a contribution for the purposes of filing a ballot measure committee report and details record-keeping requirements.

**LD 1744 An Act To Join the Interstate Compact on the National Popular Vote**

**INDEF PP**

<u>Sponsor(s)</u>	<u>Committee Report</u>	<u>Amendments Adopted</u>
MARTIN	OTP MAJ ONTP MIN	

This bill was carried over from the First Regular Session, 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.

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**LD 1799    An Act To Establish Open Ballot Voting in Maine**

**DIED IN  
CONCURRENCE**

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

This bill, which was carried over from the First Regular Session, establishes a definition of minor party and establishes a system where minor parties may nominate, by convention, candidates from “major” parties as their own candidate for general election. Under this bill, a minor party is formed if a designated candidate received votes in the last election equal to or greater than 2 ½% of the total votes cast for governor in either of the two preceding general elections or if the proposed minor party obtains signatures on a petition to establish the party equal to or greater than 2 ½% of the total votes cast for governor at the last election. Once established as a minor party, a candidate is selected by the party at convention. For major party candidates to be nominated by a minor party, a nominating petition for that candidate must list the minor party. Once nominated, that candidate is listed on the ballot next to the name of each party for which that candidate received a nomination.

**LD 1879    An Act To Allow Additional Slot Machines at a Harness Horse Racing Track To Support Harness Horse Racing, Passenger and Freight Train Service on the Mountain Division Rail Line and Passenger Train Service Overseen by the Northern New England Passenger Rail Authority**

**ACCEPTED ONTP  
REPORT**

<u>Sponsor(s)</u>	<u>Committee Report</u>	<u>Amendments Adopted</u>
MOORE G SNOWE-MELLO	ONTP   MAJ OTP-AM   MIN	

This bill, which was carried over from the First Regular session, permits the operation of slot machines at a harness horse racing track in a municipality along the railroad line from Portland to the New Hampshire border overseen by the Northern New England Passenger Rail Authority or the railroad line from Portland through Westbrook, Gorham, Standish and Fryeburg to the New Hampshire border known as the Mountain Division rail line. The bill limits the location of the operation of these slot machines to one harness horse racing track and to within 200 feet of the outside edge of the racing oval at that harness horse racing track. A municipality must approve the operation of slot machines before slot machines authorized by this bill may be operated in that municipality. The bill is subject to approval by the voters of this State at referendum.

The slot machine operator will be required to collect and distribute 1% of gross slot machine income for deposit in the General Fund. The slot machine operator will be required to collect and distribute 39% of the net slot machine income as follows:

1. Two percent for deposit in the General Fund for administrative expenses of the Gambling Control Board, including gambling addiction counseling services;
2. Ten percent to supplement harness racing purses;
3. Three percent for deposit in the Sire Stakes Fund;
4. Three percent for deposit in the Agricultural Fair Support Fund;
5. Five percent for the Town of Standish to establish a drinking water protection fund to protect the quality of the drinking water for communities served by the Portland Water District and to establish a recreational area on Sebago

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Lake in Standish;

6. One percent for scholarships for students at the University of Maine System;
7. One percent for scholarships for students at the Maine Community College System;
8. Ten percent for the Mountain Division Rail Line Authority, which is established in this bill and may issue bonds, to fund the acquisition, financing, construction, operation, improvement and repair of a railroad line from Portland through Westbrook, Gorham, Standish and Fryeburg to the New Hampshire border;
9. Two percent for the Northern New England Passenger Rail Authority to support the operation of a train on the railroad line from Portland to the New Hampshire border;
10. One percent for the Department of Agriculture, Food and Rural Resources to be used for equine rescue and other animal protection programs; and
11. One percent for the municipality in which the slot machines are located.

**LD 1924    An Act To Implement the Recommendations of the Committee To Review the Taxation of Slot Machine Revenues, Created by Executive Order 33 Fiscal Year 2006-07** **INDEF PP**

<u>Sponsor(s)</u>	<u>Committee Report</u>	<u>Amendments Adopted</u>
EDMONDS	JT RULE 309	

This bill is a concept draft pursuant to Joint Rule 208 and was carried over from the First Regular session. It proposes to implement the recommendations of the Committee to Review the Taxation of Slot Machine Revenues, created by Executive Order 33 Fiscal Year 2006-07. The recommendations from the committee proposed amending the definition of gross slot machine income and net slot machine income as well as changes to how the revenue from slot machines is distributed to the general fund.

**LD 1966    Resolve, To Allow John Jorgensen To Sue the State** **ONTP**

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

This resolve authorizes John Jorgensen to bring a civil action against the Department of Transportation for damages in connection with actions taken by the Department of Transportation. The resolve allows up to \$4,000,000 in damages for injuries incurred in an accident that has already resulted in medical bills of nearly \$600,000 for Mr. Jorgensen.

**LD 1985    An Act To Meet the Emergency Needs of Maine Veterans** **PUBLIC 678  
EMERGENCY**

<u>Sponsor(s)</u>	<u>Committee Report</u>	<u>Amendments Adopted</u>
EDMONDS	OTP-AM	S-468
		S-691    ROTUNDO

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This bill increases from \$500 to \$5,000 the amount of a grant that may be made by the Department of Defense, Veterans and Emergency Management, Bureau of Maine Veterans' Services to a veteran who suffers an emergency, such as the loss of that veterans home to fire, flood or hurricane, that is not fully compensable by insurance, or an illness or the illness of an immediate family member or similar emergency. It also provides an appropriation of \$250,000 to fund the grants.

### **Committee Amendment "A" (S-468)**

This amendment provides criteria for the award of grants under the emergency veterans assistance program. It strikes the increased distribution amounts proposed by the bill. The amendment replaces the appropriations and allocations section of the bill so that the money provided will be used to fund additional veterans services officers.

### **Senate Amendment "A" (S-691)**

This amendment removes the General Fund appropriation to the Department of Defense, Veterans and Emergency Management of \$250,000 in fiscal year 2008-09 for a Veterans Services Officer position in Portland, a mobile Veterans Service Officer position, an Office Associate position, and related administrative and operating costs, and instead adds a one-time General Fund appropriation of \$85,000 to the Department of Defense, Veterans and Emergency Management in fiscal year 2008-09 for a contracted mobile Veterans Service Officer position and related administrative and operating costs and increases the amounts transferred to the General Fund from the Accident, Sickness and Health Insurance Internal Service Fund and the Retiree Health Insurance Internal Service Fund from savings achieved through changes adopted by the State Employee Health Commission by \$117,873 in fiscal year 2008-09.

### **Enacted Law Summary**

Public Law 2007, chapter 678 provides criteria for the award of grants under the emergency veterans assistance program. It also provides for a one-time appropriation of \$85,000 to the Bureau of Veterans Services within the Department of Defense, Veterans and Emergency Management for a contracted mobile Veterans Services Officer. It also requires a study to determine the need and potential benefits of continuing this position as well as that of a Veterans Services Officer in Portland.

Public Law 2007, chapter 678 was enacted as an emergency measure effective April 23, 2008.

## **LD 1987 An Act To Allow Direct-to-consumer Wine Sales**

**DIED BETWEEN  
HOUSES**

<u>Sponsor(s)</u>	<u>Committee Report</u>	<u>Amendments Adopted</u>
BROMLEY	ONTP MAJ OTP-AM MIN	S-575

This bill establishes a new license that allows an out-of-state alcoholic beverage producer, supplier, importer, wholesaler, distributor or retailer to ship wine directly to consumers in Maine. To obtain this non-resident shipper license, the applicant must first obtain a certificate of approval license from the state and show proof of their out-of-state alcoholic beverage license. The registration and annual renewal fee for the non-resident shipper license is \$100.

The bill requires that a person who wishes to have wine directly shipped to them must be at least 21 years of age and register with the Division of Liquor Licensing within the Department of Public Safety. Shipments of wine delivered under a non-resident shipper license are required to be labeled that they contain alcohol and can not be delivered to someone younger than age 21.

The bill requires a non-resident shipper to submit an annual report listing the number of wine bottles shipped during

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the prior calendar year and provides that the the Division of Liquor Licensing may audit the shipper's records at any time. The bill requires a non-resident shipper to pay sales taxes and register with the Bureau of Revenue Services as a retailer. Finally, the bill requires the adoption of rules to allow for compliance with Maine's bottle deposit law.

### Committee Amendment "A" (S-575)

This amendment strikes the section of the bill that establishes a nonresident shipper's license and replaces it with a section that establishes a direct shipper license. A direct shipper license allows in-state or out-of-state licensed entities to ship up to 12 cases of wine to recipients who are 21 years of age or older. The direct shipper or 3rd-party carrier contracted by the shipper must determine proof of age in order to make a delivery. Wine shipments must be conspicuously labeled that they contain alcohol and may be delivered only to a person 21 years of age or older. The amendment clarifies that a direct shipper is required to pay all applicable taxes, including excise and premium taxes on wine. The amendment also provides greater detail in what is required to be reported by direct shippers and lists specific penalties for specific violations of laws governing the direct shipment of wine.

### LD 2015 An Act To Ensure Integrity in Financing Publicly Funded Campaigns

PUBLIC 567

<u>Sponsor(s)</u>	<u>Committee Report</u>	<u>Amendments Adopted</u>
MILLS J	OTP-AM	H-793

This bill prohibits a Maine Clean Election Act candidate from spending Maine Clean Election Act funds on himself or herself, a member of the candidates immediate family or a business affiliated with the candidate. It also prohibits the use of Maine Clean Election Act funds to pay or reimburse a member of the candidates immediate family for services provided to the candidates campaign.

### Committee Amendment "A" (H-793)

This amendment replaces the bill. The amendment prohibits the use of funds from the Maine Clean Election Fund as payment to a member of a candidate's household, unless the candidate provides evidence that the payment was for a legitimate campaign expense for goods and services priced at a fair market value and that the household member provides those goods or services as a regular part of their occupation or business. The amendment also requires that candidates who are not certified as Maine Clean Election Act candidates disclose when they use campaign funds to pay a household member for campaign-related goods or services.

### Enacted Law Summary

Public Law 2007, chapter 567 prohibits the use of funds from the Maine Clean Election Fund as payment to a member of a candidate's household, unless the candidate provides evidence that the payment was for a legitimate campaign expense for goods and services priced at a fair market value and that the household member provides those goods or services as a regular part of their occupation or business. It also requires that candidates who are not certified as Maine Clean Election Act candidates disclose when they use campaign funds to pay a household member for campaign-related goods or services.

### LD 2068 An Act To Amend the Laws Governing Lobbyist Disclosure

PUBLIC 630

<u>Sponsor(s)</u>	<u>Committee Report</u>	<u>Amendments Adopted</u>
PATRICK	OTP-AM MAJ OTP-AM MIN	H-895

This bill makes changes to the laws regarding lobbyist disclosure procedures. It eliminates from the definition of "expenditure" compensation paid to a lobbyist and the costs of so-called "gross roots" lobbying. It adds the term

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"domestic partner" in the definition of "immediate family." It broadens the requirement that state employees who influence legislation register with the Commission on Governmental Ethics and Election Practices. It repeals the Maine Revised Statutes, Title 3, section 315, the substance of which is retained in section 315-A. It requires the commission to publish an online photographic guide to lobbyists organized by legislative committee and requires that lobbyists submit photographs unless the lobbyists have waivers from the commission. It requires lobbyists to submit additional information about their employers when they register. It provides the commission authority to audit and investigate information contained in lobbyists' and employers' registrations and reports and grants the commission subpoena power to accomplish this.

### **Committee Amendment "A" (H-895)**

This amendment is the majority report of the committee. It establishes a definition of "covered official" and "domestic partner" as that term is used in the definition of "immediate family." It also establishes a definition of "legislative designee" to describe employees of state agencies who lobby the Legislature on behalf of the state agency and requires them to register as designees within 15 days of the beginning of a regular legislative session. The amendment requires a legislative designee to complete a registration form that includes the business address and website of the designee's agency, a description of the agency and the legislative interests the designee is intending to influence. The amendment requires this information, like similar information reported by lobbyists, to be available on a publicly accessible website. The amendment makes clarifications to the reporting requirements for lobbyists to correct ambiguous language. Finally, the amendment authorizes the Commission on Governmental Ethics and Election Practices to conduct investigations with regard to alleged violations of the laws governing lobbying.

### **Enacted Law Summary**

Public Law 2007, chapter 630 establishes a definition of "covered official" and "domestic partner" as that term is used in the definition of "immediate family." It also establishes a definition of "legislative designee" to describe employees of state agencies who lobby the Legislature on behalf of the state agency and requires them to register as designees within 15 days of the beginning of a regular legislative session. This law requires a legislative designee to complete a registration form that includes the business address and website of the designee's agency, a description of the agency and the legislative interests the designee is intending to influence. It also requires this information, like similar information reported by lobbyists, to be available on a publicly accessible website. Chapter 630 makes clarifications to the reporting requirements for lobbyists to correct ambiguous language. Finally, this law authorizes the Commission on Governmental Ethics and Election Practices to conduct investigations with regard to alleged violations of the laws governing lobbying.

### **LD 2069 An Act To Update Department of Defense, Veterans and Emergency Management Laws**

**PUBLIC 521  
EMERGENCY**

<u>Sponsor(s)</u>	<u>Committee Report</u>	<u>Amendments Adopted</u>
COTTA	OTP-AM	H-752

This bill amends various provisions of the laws governing veterans' services and benefits. It amends the section of law governing eligibility for burial at the Maine Veterans Cemetery to include a person who died while serving in the Active Guard Reserve and whose death is determined to be in the line of duty. It also amends the section of law governing eligibility for temporary and emergency assistance offered to veterans to specify that the veteran must be a current resident of the state for at least a one year period.

The bill addresses provisions in the law governing educational benefits offered to veterans and their dependents by clarifying the definition of child to mean a "natural" child or a child who was adopted prior to the age of 18. It also removes the age limit of 25 years regarding being eligible for tuition benefits and specifies that a widow or widower is eligible for the education benefits if they have not remarried after the death of the veteran spouse and that these benefits are available to only one spouse per veteran. The bill also provides that the benefit recipient must be a state resident throughout the duration of time when the benefits offered under the educational benefits program. Lastly,

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the bill replaces 8 semesters with 120 credit hours when describing the extent of the benefits provided.

### Committee Amendment "A" (H-752)

This amendment strikes the one-year residency requirement for eligibility for certain veterans benefits and adds a provision that directs the Department of Defense, Veterans and Emergency Management, Bureau of Maine Veterans' Services to verify residency. The amendment also makes retroactive to September 1, 2007 the section of the bill that clarifies that education benefits for spouses of veterans are good for 120 credit hours. Finally, this amendment adds an emergency preamble and emergency clause.

### Enacted Law Summary

Public Law 2007 chapter 521 makes various changes to the laws governing veterans' services and benefits. It amends the section of law governing eligibility for burial at the Maine Veterans Cemetery to include a person who died while serving in the Active Guard Reserve and whose death is determined to be in the line of duty. It also changes the section of law governing eligibility for temporary and emergency assistance offered to veterans to require the Bureau of Veterans Services to verify Maine residency.

Chapter 521 also addresses provisions in the law governing educational benefits offered to veterans and their dependents by clarifying the definition of child to mean a "natural" child or a child who was adopted prior to the age of 18. It also removes the age limit of 25 years old regarding being enrolled in a degree program to be eligible for tuition benefits and specifies that a widow or widower is eligible for the education benefits if they have not remarried after the death of the veteran spouse and that these benefits are available to only one spouse per veteran. The law provides that the benefit recipient must be a state resident throughout the duration of time when the benefits offered under the educational benefits program. Lastly, chapter 521 replaces 8 semesters with 120 credit hours when describing the extent of the benefits provided and makes this change retroactive to September 2007.

Public Law 2007, chapter 521 was enacted as an emergency measure effective May 27, 2008.

## LD 2070 An Act To Improve the Campaign Finance Laws and Their Administration

**PUBLIC 571  
EMERGENCY**

<u>Sponsor(s)</u>	<u>Committee Report</u>	<u>Amendments Adopted</u>
PATRICK	OTP-AM	H-824

This bill makes several changes to the provisions of law governing the Commission on Governmental Ethics and Election Practices. It clarifies existing language that disqualifies a person from serving on the commission if that person is an officer, director, employee or primary decision maker of a party committee, political action committee or candidate committee and makes the appropriate statutory references in this regard. It also provides that a member of the commission may be removed by the Governor upon the direction of both branches of the Legislature or by impeachment as provided in the Constitution of Maine. The bill creates a new section of law that describes what constitutes a conflict of interest for a commission member and what is required when a member has such a conflict of interest.

The bill provides that working papers as part of an audit are confidential and are not permitted to be disclosed to anyone except the commission, the audited entity, necessary people conducting the audit and law enforcement.

The bill adds a new provision in law that restricts the use of contributor information contained in commission reporting databases for commercial purposes. It allows for traditional uses for this information like using the information to send political literature, for get out the vote activities and contacting Mainers to raise funds to influence Maine elections. It would prohibit using the database to sell goods and services, or to sell the information to other database companies, fundraising by charities and fundraising by non-electoral political organizations.

The bill also adds language regarding the submission of reports required by the commission and clarifies that reports due to municipal clerks must be submitted by the close of business in the municipal clerk's office.

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The bill provides that a list in electronic format of the names and addresses of persons who make \$5 MCEA qualifying contributions over the internet are available only to the candidate or someone designated by the candidate.

Finally, this bill proposes a new provision to address using Maine Clean Election Act funds to family members. It states that when a certified candidate pays an immediate family member or a business or non-profit affiliated with a member of the candidate's immediate family, the candidate must disclose the family relationship.

### **Committee Amendment "A" (H-824)**

This amendment adds language requiring disclosure statements from members of the Commission on Governmental Ethics and Election Practices and clarifies a process established in the bill for the removal of members from the commission. The amendment strikes language regarding complaints alleging conflict of interest on behalf of members of the Commission on Governmental Ethics and Election Practices. The amendment clarifies the portions of the bill that create an exception to the law governing public records to narrow its scope. Finally, the amendment corrects an error in existing law regarding seed money contributions under the Maine Clean Election Act.

### **Enacted Law Summary**

Public Law 2007, chapter 571 makes changes to the laws governing the Maine Commission on Governmental Ethics and Election Practices and the laws governing campaign finance. It clarifies existing language that disqualifies a person from serving on the commission if that person is an officer, director, employee or primary decision maker of a party committee, political action committee or candidate committee and makes the appropriate statutory references in this regard. It also provides that a member of the commission may be removed by the Governor upon the direction of both branches of the Legislature or by impeachment as provided in the Constitution of Maine. The law describes what constitutes a conflict of interest for a commission member and what is required when a member has such a conflict of interest. It also specifies meeting notice requirements and the procedure for telephone meetings held by the Commission.

Chapter 571 specifies when investigative working papers are confidential and provides what information is available to the public regarding Maine Clean Election Act qualifying contributions made via the internet. The law also adds a new provision that restricts the use of contributor information contained in commission reporting databases for commercial purposes.

This law adds language regarding the submission of reports required by the commission and clarifies that reports due to municipal clerks must be submitted by the close of business in the municipal clerk's office.

Chapter 571 also corrects an error regarding seed money contributions collected by candidates to receive money from the Maine Clean Election Act fund. Finally, it proposes a new provision to address using Maine Clean Election Act funds to family members. It states that when a certified candidate pays an immediate family member or a business or non-profit affiliated with a member of the candidate's immediate family, the candidate must disclose the family relationship.

Public Law 2007, chapter 571 was enacted as an emergency measure and took effect on April 7, 2008.

**LD 2110 An Act To Amend the Election Laws**

**PUBLIC 515**

Sponsor(s)

PATRICK

Committee Report

OTP-AM

Amendments Adopted

H-737

This bill amends the section of law in Title 5 that implements the Constitutional requirement that a statement from the Treasurer of State accompany a bond question on the ballot for ratification by the voters. The bill would allow

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for that statement to be included on a separate piece of paper to accompany the ballot. It would be provided to voters at the voting place as well as distributed with absentee ballots.

Current law allows for a person to register as a voter anew in a municipality by mail and states that the applicant's qualification as a voter is presumed. However, the bill also specifies that an application for voter registration received by email does not establish a presumption that the applicant is a qualified voter.

The bill also adds to what is required to be included on the printed incoming voting list. The additional field to be included would indicate whether or not that particular voter is required to show identification prior to voting. The bill replaces the requirement that the incoming voter list be available before election day with the requirement that the "current voter list" be available. It requires what is to be included on a current voter list to be available before the polls are opened on election day. It states that the list must include only the following: name; residence address; enrollment status; electoral district; voter status as active or inactive; voter record number; and special designations indicating uniformed service voters, overseas voters or township voters. It also describes what information is kept confidential for those voters in the Address Confidentiality Program. Current law provides that the incoming voter list be sealed after the election for a period of 10 days. This bill reduces that time to 5 business days after the election once the clerk verifies that no recount has been requested. It also provides that a recount is automatic for races where the difference in votes between the candidates is less than 1% of the total votes cast in that race.

The bill provides language that would give municipalities the option of accepting absentee ballot applications by email. The municipality would be required to notify the Secretary of State at least 120 days before an election if they choose to accept these email applications. The list of municipalities that offer this would be posted on the website of the Secretary of State. The form for this application would be designed or approved by the Secretary of State.

Finally, this bill reduces the number of days from 10 to 5 by which the municipal election clerk must update the list of absentee voters in the Central Voter Registration System.

### **Committee Amendment "A" (H-737)**

This amendment strikes from the bill the provisions that would make a recount automatic for races with a margin of less than 1% of the total votes cast in a race. In order for a recount to occur under this amendment it must be requested by the apparent losing candidate.

### **Enacted Law Summary**

Public Law 2007 chapter 515 makes several changes to the laws governing elections. It provides that a statement from the Treasurer of State that accompanies a bond question on the ballot for ratification by the voter may be included on a separate piece of paper to accompany the ballot. It would be provided to voters at the voting place as well as distributed with absentee ballots.

Current law allows for a person to register as a voter anew in a municipality by mail and states that the applicant's qualification as a voter is presumed. Chapter 515 specifies that an application for voter registration received by email does not establish a presumption that the applicant is a qualified voter.

Chapter 515 adds to what is required to be included on the printed incoming voting list to indicate whether or not a particular voter is required to show identification prior to voting. The law replaces the requirement that the incoming voter list be available before election day with the requirement that the "current voter list" be available and requires what is to be included on a current voter list to be available before the polls are opened on election day. It states that the list must include only the following: name; residence address; enrollment status; electoral district; voter status as active or inactive; voter record number; and special designations indicating uniformed service voters, overseas voters or township voters. It also describes the information that is kept confidential for those voters in the Address Confidentiality Program. Current law provides that the incoming voter list be sealed after the election for a period of 10 days. This law reduces that time to 5 business days after the election once the clerk verifies that no

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recount has been requested.

The law provides that for races where the difference in votes between the candidates is less than 1% of the total votes cast in that race, a recount will occur only if requested.

Chapter 515 gives municipalities the option of accepting absentee ballot applications by email. The municipality would be required to notify the Secretary of State at least 120 days before an election if they choose to accept these email applications. The list of municipalities that offer this would be posted on the website of the Secretary of State. The form for this application would be designed or approved by the Secretary of State.

Finally, this law reduces the number of days from 10 to 5 by which the municipal election clerk must update the list of absentee voters in the Central Voter Registration System.

**LD 2130    Resolve, Directing the Secretary of State To Work with the Legislative Youth Advisory Council To Establish a Program Regarding Educating Youth about Voting**

**RESOLVE 164**

<u>Sponsor(s)</u>	<u>Committee Report</u>	<u>Amendments Adopted</u>
	OTP-AM MAJ ONTP MIN	H-738

This bill allows an otherwise eligible person to preregister to vote upon reaching 16 years of age. Once preregistered, that person is automatically registered to vote when that person reaches 18 years of age or when that person meets the voting age qualification for voting in a primary election under the Maine Revised Statutes, Title 21-A, section 111-A, whichever occurs first. The bill directs the Secretary of State to adopt such routine technical rules as are necessary to implement this process. The bill requires that preregistration forms be publicly available at all offices of the Department of the Secretary of State, Bureau of Motor Vehicles and be provided to all municipal registrars. The Secretary of State is also directed to undertake efforts to ensure that youth are aware of the preregistration option.

### Committee Amendment "A" (H-738)

This amendment replaces the bill with a resolve directing the Secretary of State to work with the Legislative Youth Advisory Council to develop a program that would distribute informational literature about voting to public high schools in the State and branches of the Bureau of Motor Vehicles. It also requires the Secretary of State to submit recommended legislation by March 1, 2009 incorporating this program into the duties of the Secretary of State required by statute.

### Enacted Law Summary

Resolve 2007 chapter 164 directs the Secretary of State to work with the Legislative Youth Advisory Council to develop a program that would distribute informational literature about voting to public high schools in the State and branches of the Bureau of Motor Vehicles. It also requires the Secretary of State to submit recommended legislation by March 1, 2009 incorporating this program into the duties of the Secretary of State required by statute.

**LD 2134    An Act To Allow for Annual Super Tournament Games by Nonprofit Charitable Organizations**

**HELD BY  
GOVERNOR**

<u>Sponsor(s)</u>	<u>Committee Report</u>	<u>Amendments Adopted</u>
MILLS P	OTP-AM MAJ ONTP MIN	S-576

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This bill makes the following changes to the laws governing games of cards, including cribbage, sponsored by charitable and fraternal organizations.

1. It increases the allowable daily entry fee from \$1 to \$5.
2. It increases the license fee from \$7.50 to \$30.
3. It specifies that a game of cards may not consist of more than 60 players at any one time.

This bill also authorizes the Chief of the State Police to issue a tournament game license for cribbage, with a maximum of 1,000 players, once per calendar year.

### **Committee Amendment "A" (S-576)**

This amendment replaces the bill. The amendment allows for organizations eligible to conduct tournament games to get a license to conduct one super tournament annually. A super tournament license allows for a maximum of 1,000 players. The license has the same \$100 maximum entry fee as regular tournaments but a super tournament may not collect more than \$10,000 in entry fees.

### **LD 2178 An Act To Increase Public Confidence in Government by Expanding Public Disclosure**

**PUBLIC 704**

<u>Sponsor(s)</u>	<u>Committee Report</u>	<u>Amendments Adopted</u>
EDMONDS	OTP-AM MAJ OTP-AM MIN	H-959 FITTS S-523

This bill expands the list of information that Legislators and executive branch officials are required to list on financial disclosures to include information on real estate interests, investment interests, positions held as officers and directors of entities and the names of and interests held by immediate family members of Legislators and executive branch officials. The bill also requires that completed disclosure forms of Legislators and executive employees, including the Governor, be made available over the Internet. The requirement for Internet publication of the completed forms applies to Legislators' disclosure of sources of income, reportable liabilities, bids on government contracts and updating statements and candidate disclosure forms and executive employee statements of sources of income.

### **Committee Amendment "A" (S-523)**

This amendment is the majority report. This amendment adds to the list of things to be disclosed as proposed in the bill. New disclosures regarding real property and investment interests will begin to be reported in 2010 after the reporting form designed by the Commission on Governmental Ethics and Election Practices is reviewed by the joint standing committee of the Legislature having jurisdiction over governmental ethics matters. It adds a requirement that job titles be disclosed for each reportable source of income for Legislators, executive employees and members of their immediate families. The amendment specifies that the value of real property and investments is disclosed by indicating a range of value. It also clarifies that when reporting the location of reportable real property, the township or municipality where the property is located is sufficient.

### **House Amendment "E" (H-959)**

This amendment removes the requirement that Legislators and certain executive branch employees disclose the range of income derived from each source with respect to income earned by immediate family members of Legislators and certain executive branch employees. It also removes the requirement that Legislators and certain executive branch employees disclose certain real property and investment interests. It provides that statements filed by executive branch employees regarding positions held by those employees and their immediate family members

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must be filed with the Commission on Governmental Ethics and Election Practices rather than with the Secretary of State.

### Enacted Law Summary

Public Law 2007, chapter 704 requires that members of the Legislature and certain executive branch employees include sources of income of their spouse, domestic partner and any dependent children when reporting sources of income of income over \$1000. It also requires new reports by 2010, from Legislators and certain executive branch employees including their spouses, domestic partners and dependent children. This report will disclose any offices, trusteeships, directorships and other position with a firm, corporation, association, partnership or business held during a preceding calendar year. These reports will be maintained by the Commission on Governmental Ethics and Election Practices and will be posted on a publicly accessible website.

### LD 2206    **An Act To Amend the Tournament Games Laws**

**PUBLIC 610**

<u>Sponsor(s)</u>	<u>Committee Report</u>	<u>Amendments Adopted</u>
SCHNEIDER	OTP-AM	S-546

This bill provides that a bona fide nonprofit charitable, educational, political, civic, recreational, fraternal, patriotic, religious or veterans' organization is authorized to hold a maximum of 6 "Texas hold 'em" poker tournaments annually without obtaining a license from the Chief of the State Police if the organization possesses a building or facility in which to hold the tournaments and has been in existence and founded, chartered or organized in the State for at least 7 years.

### Committee Amendment "A" (S-546)

This amendment replaces the bill. It changes the per player fee structure for tournament games to be a flat \$200 license fee. It provides that the organization licensed to conduct tournament games may add to the player entry fee to defray the cost of the license. The amendment also removes the provision that requires the licensee to distribute 75% of the proceeds remaining after paying prizes to players to the specific charitable purposes listed on the application.

### Enacted Law Summary

Public Law 2007, chapter 610 changes the per player fee structure for tournament games to be a flat \$200 license fee. It provides that the organization licensed to conduct tournament games may add to the player entry fee to defray the cost of the license. It also removes the provision that requires the licensee to distribute 75% of the proceeds remaining after paying prizes to players to the specific charitable purposes listed on the application.

### LD 2219    **An Act To Promote Transparency and Accountability in Campaigns and Governmental Ethics**

**PUBLIC 642**

<u>Sponsor(s)</u>	<u>Committee Report</u>	<u>Amendments Adopted</u>
CUMMINGS	OTP-AM   MAJ	H-939
EDMONDS	OTP-AM   MIN	S-601   MARRACHE

This bill creates a removal procedure for members of the Commission on Governmental Ethics and Election Practices by impeachment or by allowing the Governor to remove members with the concurrence of the Joint Standing Committee of the Legislature having jurisdiction over election practices and legislative ethics. The bill clarifies the jurisdiction of the Commission on Governmental Ethics and Election Practices to include citizen complaints about abuses of legislative ethics. It amends the procedures through which complaints are made by allowing any person to file and complaint and makes changes to the procedures for confidentiality and public access

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to nonconfidential records. The bill amends the definition of "gift" and lowers the threshold when gifts to legislators are to be reported. The bill redefines "conflict of interest" and "undue influence." It requires lobbyists to submit a digital picture and a list of the committees they will be lobbying and the publishing of a lobbyist facebook so that Legislators will have a better sense of who the lobbyist they interact with represents. It prohibits candidates and their spouses from serving as campaign treasurers and deputy treasurers. It requires another reporting period for campaign reports to give the public another chance to see how campaigns are being conducted. It establishes a contribution limit to political action committees of \$10,000 per election cycle. It requires members of the commission to file financial interests and affiliation disclosures.

### **Committee Amendment "B" (H-939)**

This amendment is the minority report of the committee. This amendment:

1. Removes sections that addressed qualifications and removal of members of the Commission on Governmental Ethics and Election Practices that were addressed in another bill;
2. Changes the definition of "gift" within the laws governing legislative ethics to exclude legal services provided in a matter of legislative ethics;
3. Clarifies that written advisory opinions issued and considered at a public meeting by the Commission on Governmental Ethics and Election Practices are submitted to the Clerk of the House and the Secretary of the Senate and are entered into the legislative record;
4. Strikes language that allows a vote of 2 commissioners on the Commission on Governmental Ethics and Election Practices to be sufficient to order an investigation and hearings on matters of legislative ethics;
5. Specifies that complainants who file a complaint alleging violation of legislative ethics in bad faith will be referred to the Attorney General for investigation;
6. Clarifies confidentiality provisions with regard to complaints filed against Legislators alleging a violation of legislative ethics;
7. Clarifies language in current law that provides that a presiding officer may require a member to vote on a matter in which the Legislator might have a conflict of interest in accordance with the Joint Rules of the Legislature or if the presiding officer advises that no conflict exists;
8. Strikes the changes made by the bill regarding conflict of interest and undue influence;
9. Strikes changes to lobbying registration requirements that are addressed in another bill;
10. Removes the provision that a candidate and the candidate's spouse may not serve as treasurer or deputy treasurer of that candidate's campaign and replaces it with a provision that a Maine Clean Election Act candidate may not serve as that candidate's treasurer or deputy treasurer;
11. Strikes the \$10,000 contribution limitation for political action committees and ballot measure committees; and
12. Adds a reporting requirement directing the Commission on Governmental Ethics and Election Practices to report in 2010 the impact of the changes made by the amended version of the bill.

### **Senate Amendment "A" (S-601)**

This amendment allows a Legislator against whom a complaint alleging a violation of legislative ethics is made to request that the complaint be made public even if the commission decides not to pursue the complaint.

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## Enacted Law Summary

Public Law 2007, chapter 642 makes changes to the laws governing legislative ethics and campaign finance laws. It amends the definition of gift to exclude legal services received by a legislator regarding a matter of legislative ethics and provides that any person, not just a legislator may file a complaint with the Commission on Governmental Ethics and Election Practices alleging conflict of interest by a legislator. The law also provides when certain records pertaining to a complaint an investigation regarding legislative ethics are confidential.

Chapter 642 prohibits a candidate from serving as their own treasurer or deputy treasurer in a campaign. This law also requires that an additional campaign finance report be filed by candidates on the 42nd day prior to a general election.

This law requires the Commission on Governmental Ethics and Election Practices to issue a report by January 15, 2010 on the impact of the changes made by chapter 642.

## LD 2232 An Act To Amend the Games of Cards Law

PUBLIC 554

<u>Sponsor(s)</u>	<u>Committee Report</u>	<u>Amendments Adopted</u>
PATRICK	OTP-AM MAJ ONTP MIN	H-787

This bill amends current law regarding games of cards. It increases the daily allowable entry fee for a game of cards from \$1 to \$5, increases the license fee from \$7.50 to \$30 and specifies that a game of cards under the \$30 license may not consist of more than 20 players at any one time at any one location.

### Committee Amendment "A" (H-787)

This amendment clarifies existing statutes regarding licensed card games for which the entry fee is the wager and card games in which wagers are placed per hand or per deal. The amendment retains from the bill an increase in the maximum entry fee for card games from \$1 to \$5 and an increase in the license fee for these card games from \$7.50 to \$30 per year. The amendment also limits the number of players at these card games to 40.

## Enacted Law Summary

Public Law 2007, chapter 554 increases the maximum amount that can be collected as an entry fee from \$1 to \$5 for games of cards that use the collected entry fees as the prize for winning the game of cards. It also increases the license fee for such card games from \$7.50 to \$30 and limits the number of players under that license to 30.

## LD 2236 An Act To Clarify the Laws on Licensing for Charitable and Fraternal Organizations and Games of Chance

HELD BY  
GOVERNOR

<u>Sponsor(s)</u>	<u>Committee Report</u>	<u>Amendments Adopted</u>
HANLEY S	OTP-AM MAJ OTP-AM MIN	H-962 S-664 ROTUNDO

This bill allows nonprofit organizations to conduct games of chance without a license.

### Committee Amendment "B" (H-962)

This amendment replaces the bill. The amendment provides that organizations may conduct games of chance without a license unless they collect more than \$30,000 in entry fees, chances or wagers in a calendar year. An

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unlicensed game of chance would be limited to \$10,000 in entry fees, chances or wagers at any one event. An organization conducting a game of chance without a license must still register its name and tax identification number and the time, date and location of the event. The registration fee is \$30.

### **Senate Amendment "A" (S-664)**

This amendment reduces the annual limit of money collected when operating games of chance without a license from \$30,000 to \$15,000.

**LD 2258    Resolve, Regarding 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** **RESOLVE 202  
EMERGENCY**

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

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.

### **Enacted Law Summary**

Resolve 2007, chapter 202 approved changes to the rules governing the Maine Clean Election Act provisionally adopted by the Commission on Governmental Ethics and Election Practices. The changes clarified the provisions governing distribution of matching funds to gubernatorial candidates to be consistent with statute and specified that Maine Clean Election Act fund distributed to a candidate must be kept in a segregated account.

This Resolve was finally passed as an emergency measure and became effective on April 14, 2008.

**LD 2261    An Act To Allow a Casino in Oxford County** **ONTP**

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

This initiated bill authorizes Evergreen Mountain Enterprises, LLC to operate a gaming facility at a single site in Oxford County. The legislative body and voters of any municipality in which the site is located must approve the site for the operation of the gaming facility. The gaming facility is authorized to contain slot machines, bazaar games conducted solely for merchandise prizes, lottery games, video facsimiles, card games, table games and other games of chance, including without limitation blackjack, poker, dice, roulette, baccarat, money-wheels and bingo. The initiated bill removes the limit on the total number of slot machines that are allowed to be registered in this State. The minimum age to play a slot machine or gaming device is lowered from 21 years of age to 19 years of age. The initiated bill provides that, other than the approved commercial race tracks in the State that operate slot machines, the gaming facility operated by Evergreen Mountain Enterprises, LLC must be the only gaming facility in the State for at least 10 years. The initiated bill provides for regulation of the gaming facility by the Department of Public Safety, Gambling Control Board. The initiated bill requires the gaming operator to collect and distribute 1% of adjusted gross gaming device income to the Treasurer of State for deposit in the General Fund for the administrative expenses of the Gambling Control Board. The gaming operator must pay to the State 39% of the total gross gaming device income. This money paid to the State must be used for the following purposes:

1. Five percent of the total gross gaming device income must be distributed to repay student loans of residents of this State;

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2. Four percent of the total gross gaming device income must be distributed to the research and development of an east-west highway in the State;
3. Three percent of the total gross gaming device income must be distributed to develop and construct a facility to produce biofuels, including fuel for heating homes;
4. Three percent of the total gross gaming device income must be distributed to make health care more affordable for employees of businesses and the self-employed in this State. This endeavor must include expanding membership in the Dirigo Health Program and allowing such health care to be offered as a self-insured product;
5. Two percent of the total gross gaming device income must be distributed for revenue sharing with municipalities, with the intent of providing local property tax relief;
6. Two percent of the total gross gaming device income must be distributed to a Maine prepaid college plan to allow residents of this State to prepay the cost of college tuition, fees and dormitory housing before a child goes to college;
7. Two percent of the total gross gaming device income must be used to assist the elderly with the cost of prescription drugs;
8. Two percent of the total gross gaming device income must be used for the improvement of secondary rural roads in the State;
9. Two percent of the total gross gaming device income must be distributed for the expansion of facilities and course selection in the Maine Community College System;
10. One percent of the total gross gaming device income must be distributed for the program cost portion of general purpose aid for local schools;
11. One percent of the total gross gaming device income must be distributed to Maine's Renewable Resource Fund for the development of new renewable sources of energy;
12. One percent of the total gross gaming device income must be distributed to the Finance Authority of Maine for its NextGen First Step Grant program to assist residents of this State in saving for college tuition;
13. One percent of the total gross gaming device income must be distributed to towns to be used for regionalization efforts of towns that express interest in reducing and eliminating duplicative municipal services;
14. One percent of the total gross gaming device income must be distributed to help fund raising the minimum wage to a level comparable with a "livable wage" for the resident workers in this State of \$7.70 per hour in 2008 and \$8.40 in 2009 and in accordance with the Consumer Price Index for Urban Wage Earners and Clerical Workers, CPI-W index, thereafter. If the Legislature refuses to accept these funds for this purpose, these funds must go to funding affordable health care and Dirigo Health;
15. One percent of the total gross gaming device income must be distributed for grants to residents of this State who demonstrate energy efficiency and conservation proficiency, such as rebates for purchasers of hybrid and biodiesel-capable vehicles, for those who convert vehicles into biodiesel-capable vehicles and for users of biofuel for home and business heating, and grants for residents of this State to develop such clean and efficient fuel technologies;
16. One percent of the total gross gaming device income must be distributed for the improvement of the water quality of the rivers of this State and the technology to allow paper mills and waste treatment plants to eliminate the toxins they release into rivers;

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17. One percent of the total gross gaming device income must be distributed to the Land for Maine's Future Fund established in the Maine Revised Statutes, Title 5, section 6203 to secure the traditional heritage of this State of public access to the land and water resources of this State and to secure the continued quality and availability of natural resources important to the interests and continued heritage of the people of the State;
18. One percent of the total gross gaming device income must be distributed to public access television stations in this State for the improvement of technology and programming;
19. One percent of the total gross gaming device income must be distributed for funding residents of this State who are 15 years of age to 30 years of age to support ideas and projects that will stimulate the creative economy in this State, enhance technology, improve civic engagement or otherwise effect positive community change;
20. One percent of the total gross gaming device income must be distributed for programs to protect gaming patrons against the risks of gambling, including gambling addiction counseling services and monitoring patrons who may be at risk and have a propensity for problem gambling;
21. Two percent of the total gross gaming device income must be forwarded directly to any municipality in which the gaming facility is located; and
22. One percent of the total gross gaming device income must be forwarded directly to Oxford County to pay for mitigation of costs resulting from gaming operations.

**LD 2293    Resolve, To Improve the Absentee Voting System on November 3, 2008**

**RESOLVE 215**

<u>Sponsor(s)</u>	<u>Committee Report</u>	<u>Amendments Adopted</u>
DIAMOND	OTP-AM	S-616

This resolve provides that a person may not vote by absentee ballot in the presence of the clerk on November 3, 2008, but may still obtain a ballot by written request to vote outside of the clerk's office.

### **Committee Amendment "A" (S-616)**

This amendment replaces the resolve, which would prohibit a voter from voting in the presence of a municipal clerk by absentee ballot on the day before election day. It authorizes a municipal clerk to prohibit voting by absentee ballot in the presence of the clerk on November 3, 2008 as long as a municipal clerk gives notice to the political parties and to the Secretary of State at least 30 days before election day. Even when a municipality prohibits absentee voting in the presence of a municipal clerk, a voter may still request an absentee ballot from the clerk on November 3, 2008 and vote outside of the clerk's office. It also changes the title of the resolve.

### **Enacted Law Summary**

Resolve 2007, chapter 215 authorizes a municipal clerk to prohibit voting by absentee ballot in the presence of the clerk on November 3, 2008 as long as a municipal clerk gives notice to the political parties and to the Secretary of State at least 30 days before election day. Even when a municipality prohibits absentee voting in the presence of a municipal clerk, a voter may still request an absentee ballot from the clerk on November 3, 2008 and vote outside of the clerk's office.

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**LD 2315 RESOLUTION, Proposing an Amendment to the Constitution of Maine  
Regarding Early Voting**

**INDEF PP**

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

This resolution proposes to amend the Constitution of Maine to allow the Legislature to authorize a process to allow qualified voters to vote at polling places in or outside their election districts during the 15-day period immediately preceding an election or to vote by mail.

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**SUBJECT INDEX**

*Alcoholic Beverages*

Not Enacted

LD 1987      An Act To Allow Direct-to-consumer Wine Sales      DIED BETWEEN HOUSES

*Beano and Games of Chance*

Enacted

LD 2206      An Act To Amend the Tournament Games Laws      PUBLIC 610

LD 2232      An Act To Amend the Games of Cards Law      PUBLIC 554

Not Enacted

LD 2134      An Act To Allow for Annual Super Tournament Games by Nonprofit Charitable Organizations      HELD BY GOVERNOR

LD 2236      An Act To Clarify the Laws on Licensing for Charitable and Fraternal Organizations and Games of Chance      HELD BY GOVERNOR

*Campaign Finance and Maine Clean Election Act*

Enacted

LD 1394      An Act Regarding Campaign Finance Disclosure by Political Action Committees      PUBLIC 477

LD 2015      An Act To Ensure Integrity in Financing Publicly Funded Campaigns      PUBLIC 567

LD 2258      Resolve, Regarding 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      RESOLVE 202 EMERGENCY

*Claims Against the State*

Not Enacted

LD 1966      Resolve, To Allow John Jorgensen To Sue the State      ONTP

*Defense, Veterans and Emergency Management*

Enacted

LD 1985	An Act To Meet the Emergency Needs of Maine Veterans	PUBLIC 678 EMERGENCY
LD 2069	An Act To Update Department of Defense, Veterans and Emergency Management Laws	PUBLIC 521 EMERGENCY

*Elections*

Enacted

LD 2110	An Act To Amend the Election Laws	PUBLIC 515
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Not Enacted

LD 1150	An Act To Establish Random Audits of Voting Machines	ONTP
LD 1744	An Act To Join the Interstate Compact on the National Popular Vote	INDEF PP
LD 1799	An Act To Establish Open Ballot Voting in Maine	DIED IN CONCURRENCE

*Governmental Ethics and Election Practices*

Enacted

LD 2070	An Act To Improve the Campaign Finance Laws and Their Administration	PUBLIC 571 EMERGENCY
LD 2178	An Act To Increase Public Confidence in Government by Expanding Public Disclosure	PUBLIC 704
LD 2219	An Act To Promote Transparency and Accountability in Campaigns and Governmental Ethics	PUBLIC 642

*Lobbying and Lobbyists*

Enacted

LD 2068	An Act To Amend the Laws Governing Lobbyist Disclosure	PUBLIC 630
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Not Enacted

LD 1393	An Act Regarding Grassroots Lobbying	DIED BETWEEN HOUSES
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*Slot machines*

Not Enacted

LD 701	An Act To Authorize the Operation of Slot Machines on Indian Island in Old Town	VETOED
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LD 1879	<b>An Act To Allow Additional Slot Machines at a Harness Horse Racing Track To Support Harness Horse Racing, Passenger and Freight Train Service on the Mountain Division Rail Line and Passenger Train Service Overseen by the Northern New England Passenger Rail Authority</b>	<b>ACCEPTED ONTP REPORT</b>
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LD 1924	<b>An Act To Implement the Recommendations of the Committee To Review the Taxation of Slot Machine Revenues, Created by Executive Order 33 Fiscal Year 2006-07</b>	<b>INDEF PP</b>
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LD 2261	<b>An Act To Allow a Casino in Oxford County</b>	<b>ONTP</b>
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*Voting*

Enacted

LD 2130	<b>Resolve, Directing the Secretary of State To Work with the Legislative Youth Advisory Council To Establish a Program Regarding Educating Youth about Voting</b>	<b>RESOLVE 164</b>
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LD 2293	<b>Resolve, To Improve the Absentee Voting System on November 3, 2008</b>	<b>RESOLVE 215</b>
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Not Enacted

LD 2315	<b>RESOLUTION, Proposing an Amendment to the Constitution of Maine Regarding Early Voting</b>	<b>INDEF PP</b>
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**JOINT STANDING COMMITTEE ON  
LEGAL AND VETERANS AFFAIRS**

**Summary of Committee Actions**

I. BILLS AND PAPERS CONSIDERED	<u>Number</u>	<u>% of Comm Activity</u>	<u>% of All Bills/Papers</u>
A. Bills referred to Committee			
<i>Bills referred and voted out</i>	19	70.4%	3.4%
<u><i>Bills Carried Over from previous session</i></u>	<u>8</u>	<u>29.6%</u>	<u>1.4%</u>
<b>Total Bills referred</b>	<b>27</b>	<b>100.0%</b>	<b>4.8%</b>
B. Bills reported out by law or joint order	0	0.0%	0.0%
<b>Total Bills considered by Committee</b>	<b>27</b>	<b>100.0%</b>	<b>4.8%</b>
Orders and Resolutions referred to Committee			
<i>Joint Study Orders referred and voted out</i>	0	0.0%	0.0%
<i>Joint Resolutions referred and voted out</i>	0	0.0%	0.0%
<u><i>Orders and Resolutions Carried Over</i></u>	<u>0</u>	<u>0.0%</u>	<u>0.0%</u>
<b>Total Orders and Resolutions Referred</b>	<b>0</b>	<b>0.0%</b>	<b>0.0%</b>
 II. COMMITTEE REPORTS	 <u>Number</u>	 <u>% of this Committee's Reports</u>	 <u>% of All Committee Reports</u>
A. Unanimous committee reports			
<i>Ought to Pass</i>	1	3.8%	0.2%
<i>Ought to Pass as Amended</i>	10	38.5%	1.9%
<i>Ought to Pass as New Draft</i>	0	0.0%	0.0%
<u><i>Ought Not to Pass</i></u>	<u>3</u>	<u>11.5%</u>	<u>0.6%</u>
<b>Total unanimous reports</b>	<b>14</b>	<b>53.8%</b>	<b>2.6%</b>
B. Divided committee reports			
<i>Two-way reports</i>	12	46.2%	2.3%
<i>Three-way reports</i>	0	0.0%	0.0%
<u><i>Four-way reports</i></u>	<u>0</u>	<u>0.0%</u>	<u>0.0%</u>
<b>Total divided reports</b>	<b>12</b>	<b>46.2%</b>	<b>2.3%</b>
<b>Total committee reports</b>	<b>26</b>	<b>96.3%</b>	<b>4.9%</b>
III. CONFIRMATION HEARINGS	3	N/A	N/A
 IV. FINAL DISPOSITION	 <u>Number</u>	 <u>% of Comm Bills/Papers</u>	 <u>% of All Bills/Papers</u>
A. Bills and Papers enacted or finally passed			
<i>Joint Study Orders</i>	0	0.0%	0.0%
<i>Public laws</i>	11	40.7%	2.0%
<i>Private and Special Laws</i>	0	0.0%	0.0%
<i>Resolves</i>	3	11.1%	0.5%
<u><i>Constitutional Resolutions</i></u>	<u>0</u>	<u>0.0%</u>	<u>0.0%</u>
<b>Total Enacted or Finally Passed</b>	<b>14</b>	<b>51.9%</b>	<b>2.5%</b>
B. Resolves to authorize major substantive rules			
<i>Rules authorized without legislative changes</i>	1	100.0%	4.5%
<i>Rules authorized with legislative changes</i>	0	0.0%	0.0%
<u><i>Rules not authorized by the Legislature</i></u>	<u>0</u>	<u>0.0%</u>	<u>0.0%</u>
<b>Total number of rules reviewed</b>	<b>1</b>	<b>100.0%</b>	<b>4.5%</b>
C. Bills vetoed or held by Governor			
<i>Vetoes over-riden</i>	0	0.0%	0.0%
<i>Vetoes sustained</i>	0	0.0%	0.0%
<u><i>Held by the Governor</i></u>	<u>2</u>	<u>7.4%</u>	<u>0.4%</u>
<b>Total</b>	<b>2</b>	<b>7.4%</b>	<b>0.4%</b>

<sup>1</sup> Total number of committee reports does not include one bill, LD 1924, that was referred to the committee, but was not reported out.  
Note: A committee vote on a bill is not included here if the bill was subsequently re-referred to another committee or recommitted and carried over.