

STATE OF MAINE  
127<sup>TH</sup> LEGISLATURE  
FIRST REGULAR SESSION



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

**JOINT STANDING COMMITTEE ON TAXATION**

August 2015

**STAFF:**

JULIE JONES, SENIOR LEGISLATIVE ANALYST  
OFFICE OF FISCAL AND PROGRAM REVIEW  
5 STATE HOUSE STATION  
AUGUSTA, ME 04333  
(207) 287-1635

**MEMBERS:**

SEN. EARLE L. MCCORMICK, CHAIR  
SEN. PAUL T. DAVIS, SR.  
SEN. NATHAN L. LIBBY

REP. ADAM A. GOODE, CHAIR  
REP. STEPHEN S. STANLEY  
REP. MATTHEW W. MOONEN  
REP. DIANE M. RUSSELL  
REP. DENISE A. TEPLER  
REP. H. STEDMAN SEAVEY  
REP. BRUCE A. BICKFORD  
REP. PAUL CHACE  
REP. THOMAS H. SKOLFELD  
REP. GARY E. SUKEFORTH

*Joint Standing Committee on Taxation*

**LD 11      An Act To Exempt the Sale of the United States Flag from the Sales Tax      Died On Adjournment**

<u>Sponsor(s)</u>	<u>Committee Report</u>	<u>Amendments Adopted</u>
SHORT DAVIS	OTP-AM	H-11

This bill exempts from the sales and use tax sales of the United States flag as long as the flag is made entirely of cloth or similar material, except for grommets or noncloth fasteners used in displaying the flag.

**Committee Amendment "A" (H-11)**

This amendment adds an effective date of October 1, 2015.

See also LD 208.

**LD 13      An Act To Provide an Exemption from Sales Tax and Service Provider Tax to Nonprofit Collaboratives of Libraries      Veto Sustained**

<u>Sponsor(s)</u>	<u>Committee Report</u>	<u>Amendments Adopted</u>
GRATWICK HUBBELL	OTP-AM	S-1

This bill provides an exemption from sales tax and service provider tax for certain nonprofit library collaboratives.

**Committee Amendment "A" (S-1)**

This amendment corrects an effective date.

The substance of the bill was included in the biennial budget bill, Public Law 2015, chapter 267, Part OOOO. Please see LD 1019, summarized under the Joint Standing Committee on Appropriations and Financial Affairs.

**LD 26      An Act To Simplify the Process for Fuel Tax Rebates      ONTP**

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

This bill extends from 12 months to 16 months the time period for taxpayers requesting a fuel tax refund for off-road use to permit persons who file at the same time as their income tax return to apply for the entire previous calendar year.

See also LD 238.

*Joint Standing Committee on Taxation*

**LD 27      An Act To Exempt Persons 67 Years of Age and Older from the State Income Tax      ONTP**

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

This bill exempts from the state income tax income of residents who are 67 years of age or older unless the income is received jointly with a person who has not reached 67 years of age.

See also LD 625 and LD 760.

**LD 29      An Act To Establish a Local Option Real Estate Transfer Tax      ONTP**

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

This bill allows a municipality, by referendum, to establish a local option real estate transfer tax of up to one percent on the transfer of real property that is subject to the state real estate transfer tax.

**LD 30      An Act To Exempt Fuel Used by Commercial Farmers from Sales Tax      ONTP**

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

This bill provides a sales tax refund or exemption for fuel used in commercial agricultural production.

See also LD 290 and LD 432.

**LD 48      An Act To Reduce Registration Fees and Excise Taxes for For-hire Vehicles with Adaptive Equipment Enabling Access by Persons with Disabilities      Veto Sustained**

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

This bill exempts from the motor vehicle excise tax adaptive equipment installed on a motor vehicle owned by a carrier engaged in furnishing passenger service for hire. It also reduces by half the motor vehicle registration fee of a passenger vehicle used for hire that is equipped with adaptive equipment to make that vehicle operable or accessible by a person with a disability.

The substance of the bill was included in the biennial budget bill, PL 2015, chapter 267, Part BBBB. Please see LD 1019, summarized under the Joint Standing Committee on Appropriations and Financial Affairs.

*Joint Standing Committee on Taxation*

**LD 49      An Act To Exempt from Excise Tax Certain Vehicles Used by Persons with a Disability      CARRIED OVER**

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

This bill provides a motor vehicle excise tax exemption for motor vehicles owned and designed for use by a person with a disability. This exemption is in addition to the sales tax exemption currently allowed for adaptive equipment installed on a vehicle.

This bill was carried over to any special or regular session of the 127th Legislature by joint order, H.P. 992.

**LD 64      An Act To Reduce the Time within Which a Challenge to a Tax Lien Foreclosure May Be Filed      Veto Sustained**

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

This bill reduces from five years to three years following foreclosure the length of time in which a challenge to a governmental taking of real estate for nonpayment of taxes may be filed.

**LD 76      An Act To Amend the Property Tax Fairness Credit      Died Between Houses**

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

This bill amends the property tax fairness credit by increasing the maximum credit to \$900 for an eligible person under 65 years of age and \$1,200 for an eligible person 65 years of age and older.

**Committee Amendment "A" (S-202)**

This amendment, which is the majority report of the committee, replaces the bill and amends the property tax fairness credit by increasing the percentage of rent constituting property taxes from 15 percent to 20 percent and lowering the property tax as a percentage of the income threshold above which a credit may be available from six percent of income to five percent of income.

See also LD 1095.

**LD 79      An Act To Provide a Sales Tax Trade-in Credit for Core Parts      ONTP**

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

*Joint Standing Committee on Taxation*

This bill provides a sales tax trade-in credit for core parts. A core part is a component that, when replaced, is returned to the manufacturer to be rebuilt and used again.

**LD 94      An Act To Base the Excise Tax Imposed on the Purchase of a Motor Vehicle on the Price Paid**

**Died Between Houses**

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

This bill requires the excise tax on motor vehicles and camper trailers to be based on the purchase price of the motor vehicle or camper trailer. The purchase price is determined for new motor vehicles and camper trailers based on the initial bill of sale or state sales tax document. For used motor vehicles and camper trailers, if the initial bill of sale or state sales tax document is not available, the excise tax is based on the maker's list price. This bill requires the State to reimburse municipalities for the excise tax revenue loss attributable to basing the excise tax on all motor vehicles on the purchase price.

**Committee Amendment "A" (H-327)**

This amendment, the minority report of the committee, replaces the bill and provides that, beginning January 1, 2017, the motor vehicle excise tax is imposed on 90 percent of the maker's list price.

**LD 95      An Act To Provide Income Tax Relief**

**ONTP**

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

This bill changes the Maine income tax rate structure by replacing the current three-bracket rate structure with a six-bracket rate structure from zero percent to ten percent. The rate brackets are calculated by the State Tax Assessor every five calendar years to maintain the same level of progressivity of the tax by maintaining the same percentage of taxpayers in each top marginal rate category.

This bill also repeals the Tax Relief Fund for Maine Residents and increases the percentage of excess General Fund revenues transferred to the Maine Budget Stabilization Fund by the amount currently transferred to the tax relief fund.

See also LD 836 and LD 1269.

**LD 96      An Act To Increase the State Earned Income Credit**

**INDEF PP**

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

This bill, beginning in 2015, increases the state earned income credit from five percent to ten percent of the federal earned income credit and provides that the state earned income credit is fully refundable.

**Committee Amendment "A" (H-230)**

*Joint Standing Committee on Taxation*

This amendment clarifies the timing of the bill's changes to the earned income tax credit, adds an enhanced credit for taxpayers with no qualifying child that is equal to 50 percent of the federal earned income tax credit and removes provisions of the bill making the credit refundable.

See also LD 96 and LD 648.

**LD 116      An Act To Expand the Use of Tax Increment Financing Revenue      ONTP**

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

This bill allows a municipality or plantation that forms a tax increment financing district to use the revenue generated by that district to pay for the costs of vital public services, as long as the costs of the services do not exceed 50 percent of the tax increment revenue and the costs are not paid for more than two fiscal years during the life of the tax increment financing district and its development program. Vital public services are fire and rescue, law enforcement and waste disposal services and local road improvements.

**LD 118      An Act To Authorize Municipalities To Refund Amounts Collected in Excess of Tax Liens      PUBLIC 53 EMERGENCY**

<u>Sponsor(s)</u>	<u>Committee Report</u>	<u>Amendments Adopted</u>
MCCORMICK	OTP-AM	S-55

This bill authorizes a municipality that forecloses on residential real estate to return the excess funds, after subtracting the tax lien, interest, fees for recording the lien, costs of mailing notice, court costs, taxes that would have been assessed while the property was held by the municipality and any other expenses incurred in disposing of the real estate.

**Committee Amendment "A" (S-55)**

This amendment provides that disbursement of the excess of any funds acquired for nonpayment of property taxes must be authorized by municipal ordinance or, with regard to the unorganized territory, by rulemaking by the State Tax Assessor. The amendment clarifies the taxes, interest, fees and other costs connected with the disposal of property acquired through the tax lien and foreclosure process that may be retained by the municipality. The amendment also provides that an authorizing ordinance may apply to sales of property acquired through the tax lien and foreclosure process on or after January 1, 2015.

**Enacted Law Summary**

Public Law 2015, chapter 53 authorizes a municipality that forecloses on residential real estate to return the excess funds, after subtracting the taxes, interest and fees and any other expenses incurred in disposing of the real estate. The disbursement of the excess of any funds acquired for nonpayment of property taxes must be authorized by municipal ordinance or, with regard to the unorganized territory, by rulemaking by the State Tax Assessor. An authorizing ordinance may apply to sales of property acquired through the tax lien and foreclosure process on or after January 1, 2015.

Public Law 2015, chapter 53 was enacted as an emergency measure effective May 8, 2015.

*Joint Standing Committee on Taxation*

**LD 120      An Act To Provide a Tax Credit to Maine Residents for Turnpike Tolls      Accepted Majority (ONTP) Report**

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

This bill provides a refundable income tax credit to Maine residents for tolls paid to the Maine Turnpike Authority.

**Committee Amendment "A" (S-137)**

This amendment, the minority report of the committee, replaces the bill. It establishes a \$100 maximum tax credit for users of the Maine Turnpike and requires users claiming the credit to have receipts for cash tolls paid or a statement from the Maine Turnpike Authority showing the amount paid under the E-Z Pass program. It also adds an appropriations and allocations section.

**LD 168      An Act Relating to the Sales Tax Exemption on Depreciable Equipment Used in Commercial Wood Harvesting      ONTP**

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

This bill provides that the sales tax exemption or refund for depreciable equipment used in commercial wood harvesting applies only when the harvesting is performed by residents of the United States or by business entities with headquarters in the United States.

**LD 169      An Act To Amend the Laws Governing Groundwater Rights      ONTP**

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

This bill creates an excise tax of one cent per gallon on the extraction of groundwater or surface water from springs or other underground sources in this State by a bottled water operator that extracted more than 1,000,000 gallons in the previous calendar year if the water is packaged for sale in containers of five gallons or less. The revenue from the tax is applied 25 percent to watershed and water quality protection, 50 percent to essential programs and services for kindergarten to grade 12 and 25 percent to the municipality where the water was extracted.

**LD 170      An Act To Remove the 180-day Active Duty Requirement for the Property Tax Exemption for Vietnam Veterans      PUBLIC 353**

<u>Sponsor(s)</u>	<u>Committee Report</u>	<u>Amendments Adopted</u>
NADEAU DUTREMBLE	OTP-AM	H-15

Current law provides a property tax exemption to a veteran of the Vietnam War as long as the veteran served on active duty for at least 180 days during the period between February 27, 1961 and May 8, 1975.

*Joint Standing Committee on Taxation*

This bill repeals that limitation.

**Committee Amendment "A" (H-15)**

This amendment clarifies the intent of the bill by restoring the dates, which the bill strikes, that establish the period of time of service for eligibility for the veterans' exemption for the Vietnam War.

**Enacted Law Summary**

Public Law 2015, chapter 353 became law without the Governor's signature and removes the 180 day service requirement for eligibility for a property tax exemption for veterans who served during the Vietnam War.

**LD 183      An Act To Decrease Property Taxes by Increasing the Sales Tax      ONTP**

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

This bill increases the homestead property tax exemption from \$10,000 to \$20,000 and requires that municipalities be reimbursed for 100 percent of the taxes lost due to the increase. The bill also increases from five percent to six percent the sales tax on tangible personal property and taxable services and products transferred electronically with a value of \$5,000 or less.

See also the biennial budget bill, PL 2015, chapter 267, Part J which increases the homestead exemption to \$15,000 in 2016 and \$20,000 in 2017 and subsequent years.

**LD 191      An Act To Require the Transfer of a Forest Management and Harvest Plan upon the Transfer of Land in the Tree Growth Tax Program      ONTP**

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

This bill provides that, when land taxed under the tree growth tax program is transferred, the new landowner may file a sworn statement that a new forest management and harvest plan has been prepared. If the new landowner does not file a new plan, the landowner must continue to manage the land in accordance with the plan prepared for the previous landowner or the land is considered to have been withdrawn from the program.

**LD 208      An Act To Provide Funding for Maintaining Cemeteries within the Maine Veterans' Memorial Cemetery System      ONTP**

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

This bill requires that the sales tax collected from the sale of United States flags be deposited into the Maine Veterans' Memorial Cemetery System Care Fund for the purpose of maintaining the cemeteries in the Maine Veterans' Memorial Cemetery System.

See also LD 11.

*Joint Standing Committee on Taxation*

**LD 226 An Act To Promote Efficiency in Food Pantry Operation**

**ONTP**

Sponsor(s)

CHAPMAN

Committee Report

ONTP

Amendments Adopted

This bill provides a sales tax exemption for sales of used goods by a nonprofit organization when the profits from those sales are used by that nonprofit organization to purchase food and provide that food for free to the indigent.

**LD 238 An Act To Extend the Period of Time for Persons Who Purchase Special Fuel and Gasoline for Off-highway Use To Apply for the Special Fuel and Gasoline Tax Refunds**

**PUBLIC 9  
EMERGENCY**

Sponsor(s)

FARRIN  
CUSHING

Committee Report

OTP-AM

Amendments Adopted

H-12

This bill extends from 12 months to 18 months the period of time within which an application for a refund of taxes paid on internal combustion engine fuel or on special fuel may be made by a person who purchases and uses the fuel for any use other than the operation of a registered motor vehicle on the highways of the State and has paid the tax imposed on that fuel for highway use.

See also LD 26.

**Committee Amendment "A" (H-12)**

This amendment adds an emergency preamble and emergency clause to the bill.

**Enacted Law Summary**

Public Law 2015, chapter 9 extends from 12 months to 18 months the period of time within which an application for a refund of taxes paid on internal combustion engine fuel or on special fuel may be made by a person who purchases and uses the fuel for any use other than the operation of a registered motor vehicle on the highways of the State and has paid the tax imposed on that fuel for highway use.

Public Law 2015, chapter 9 was enacted as an emergency measure effective April 2, 2015.

**LD 278 An Act To Encourage the Use of Fuel-efficient Vehicles**

**ONTP**

Sponsor(s)

RYKERSON

Committee Report

ONTP

Amendments Adopted

This bill provides a sales tax exemption for passenger automobiles and light trucks with fuel economy ratings that exceed by at least 10 miles per gallon federal corporate average fuel economy standards, commonly referred to as "CAFE" standards.

Joint Standing Committee on Taxation

LD 279 An Act Regarding Payment under the Business Equipment Tax Reimbursement Program

PUBLIC 239

<u>Sponsor(s)</u>	<u>Committee Report</u>	<u>Amendments Adopted</u>
STANLEY LIBBY	OTP-AM	H-322

This bill requires that reimbursement for property taxes under the Business Equipment Tax Reimbursement program be held by the State Tax Assessor if the claimant is delinquent in taxes owed to a municipality on the date of certification of eligibility.

Committee Amendment "A" (H-322)

This amendment replaces the bill. The amendment directs the State Tax Assessor to suspend reimbursement under the Business Equipment Tax Reimbursement program that would otherwise be issued if a taxpayer is delinquent in the payment of personal property taxes. If the taxpayer does not pay the tax due by the end of the reimbursement application period, the taxpayer's eligibility for the suspended reimbursement is terminated.

Enacted Law Summary

Public Law 2015, chapter 239 directs the State Tax Assessor to suspend reimbursement under the Business Equipment Tax Reimbursement program that would otherwise be issued if a taxpayer is delinquent in the payment of personal property taxes. If the taxpayer does not pay the tax due by the end of the reimbursement application period, the taxpayer's eligibility for the suspended reimbursement is terminated.

LD 280 An Act To Exempt Military Pensions and Survivor Benefits from Maine Income Tax

Died On Adjournment

<u>Sponsor(s)</u>	<u>Committee Report</u>	<u>Amendments Adopted</u>
GINZLER HAMPER	OTP-AM	H-211

This bill provides an income tax exemption for benefits received under a military retirement plan, including survivor benefits.

Committee Amendment "A" (H-211)

This amendment clarifies that the exemption for military benefits applies to those benefits included in federal adjusted gross income.

LD 281 Resolve, To Modify the State Valuation of the Towns of Madison, Skowhegan, East Millinocket and Jay To Reflect the Loss of Valuation of Major Taxpayers in Those Towns

CARRIED OVER

<u>Sponsor(s)</u>	<u>Committee Report</u>	<u>Amendments Adopted</u>
MCCABE WHITTEMORE	OTP-AM ONTP	H-478 H-500 MCCABE

This resolve provides that the 2015 state valuations for the Town of Madison and the Town of Skowhegan for the purposes of calculating state-municipal revenue-sharing funds and the distribution of general purpose aid for local

*Joint Standing Committee on Taxation*

schools must be based on a valuation that values the property of the Madison Paper Company in the Town of Madison at \$80,000,000 and the property of the S.D. Warren Company in the Town of Skowhegan at \$463,224,200.

It also provides that the 2015 state valuation for the Town of Madison for the purpose of calculating the distribution to Regional School Unit No. 59 of general purpose aid for local schools for the three-year period from fiscal year 2015-16 to fiscal year 2017-18 must be based on a valuation that values the property of the Madison Paper Company in the Town of Madison at \$80,000,000, and the 2015 state valuation for the Town of Skowhegan for the purpose of calculating the distribution to Regional School Unit No. 54 of general purpose aid for local schools for the three-year period from fiscal year 2015-16 to fiscal year 2017-18 must be based on a valuation that values the property of the S.D. Warren Company in the Town of Skowhegan at \$463,224,200.

**Committee Amendment "A" (H-478)**

This amendment, the majority report of the committee, establishes adjustments to state valuations for the towns of Madison, Skowhegan, East Millinocket and Jay for the purposes of state-municipal revenue sharing and education funding to reflect the effect of significant losses in valuation of major taxpayers due to declines in the paper industry.

**House Amendment "A" To Committee Amendment "A" (H-500)**

This amendment removes the emergency preamble and emergency clause.

This resolve was carried over on the Special Appropriations Table to any special or regular session of the 127th Legislature by joint order, S.P. 555.

**LD 282      An Act To Modify the State Valuation of the Town of Madison To Reflect      ONTP**  
**the Loss in Valuation of the Madison Paper Company, To Modify the**  
**State Valuation of the Town of Skowhegan To Reflect the Loss in**  
**Valuation of the S.D. Warren Company and To Amend the Law**  
**Governing School Subsidy Distribution in the Circumstance of Sudden**  
**Loss in Municipal Valuation**

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

This bill provides an exception under the school funding formula for a municipality that has experienced a net reduction in equalized municipal valuation of at least two percent from the previous year by providing that the property fiscal capacity for the municipality is the most recently certified state valuation.

The bill also provides that the 2015 state valuation for the Town of Madison and the Town of Skowhegan for the purposes of calculating state-municipal revenue-sharing funds and the distribution of general purpose aid for local schools must be based on a valuation that values the property of the Madison Paper Company in the Town of Madison at \$80,000,000 and the property of the S.D. Warren Company in the Town of Skowhegan at \$463,224,200.

See also LD 281 and LD 550.

*Joint Standing Committee on Taxation*

**LD 290      An Act To Refund the Sales Tax Paid on Fuel Used in Commercial Agricultural Production and Commercial Wood Harvesting      Died On Adjournment**

<u>Sponsor(s)</u>	<u>Committee Report</u>	<u>Amendments Adopted</u>
CUSHING THERIAULT	OTP-AM ONTP	S-138

This bill provides a sales and use tax refund or exemption for fuel used in commercial wood harvesting or commercial agricultural production.

**Committee Amendment "A" (S-138)**

This amendment, the majority report of the committee, makes technical changes to facilitate implementation of the bill.

See also LD 30 and LD 432.

**LD 315      An Act To Provide a Refund of Fuel Taxes to Maine Ambulance Companies      ONTP**

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

This bill permits ambulance service companies and associations in this State to apply for a refund of fuel taxes, including those that have a contract with a political subdivision and those that do not.

**LD 322      An Act To Enhance the Creative Economy by Providing a Sales Tax Exemption to Incorporated Nonprofit Performing Arts Organizations      Accepted Majority (ONTP) Report**

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

This bill provides a sales tax exemption for sales to incorporated nonprofit performing arts organizations.

**Committee Amendment "A" (H-72)**

This amendment, the minority report of the committee, incorporates a fiscal note.

**LD 332      An Act To Exempt from Sales Tax Sales to Certain Nonprofit Corporations That Provide Home Rehabilitation and Modification Services to Low-income Individuals      ONTP**

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

**Joint Standing Committee on Taxation**

This bill provides a sales tax exemption for sales to certain incorporated nonprofit organizations whose primary purpose is to use volunteers to rehabilitate or modify housing for low-income individuals.

**LD 341      An Act To Prevent Tax Haven Abuse**

**Died Between  
Houses**

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

This bill requires corporations that file unitary income tax returns in Maine to include income from certain jurisdictions outside the United States in net income when apportioning income among tax jurisdictions. The State Tax Assessor is required to adopt major substantive rules to determine the income or loss attributable to such corporations and to prevent double taxation or deduction of income.

**Committee Amendment "A" (H-97)**

This amendment, the minority report of the committee, removes the Republic of Ireland from the list of jurisdictions considered tax havens and adds a requirement that the State Tax Assessor submit an annual report to the joint standing committee of the Legislature having jurisdiction over taxation matters regarding whether jurisdictions should be added to or deleted from the list of tax havens based on specified criteria.

**LD 365      An Act To Provide a Tax Reduction for Modifications To Make a Home  
More Accessible for a Person with a Disability**

**CARRIED OVER**

<u>Sponsor(s)</u>	<u>Committee Report</u>	<u>Amendments Adopted</u>
VEROW	OTP-AM	H-277

This bill is a concept draft pursuant to Joint Rule 208 and proposes to provide a means to offset the costs incurred by a person with a disability who modifies a residence, such as by installing ramps or stairlifts, widening entryways or remodeling, to make it more accessible for that person. The offset could be in the form of an income tax credit or an exemption from property taxes.

**Committee Amendment "A" (H-277)**

This amendment replaces the bill and creates an income tax credit for expenses incurred for certain modifications to make a homestead accessible to an individual with a disability or physical hardship who resides or will reside in the homestead if the taxpayer's federal adjusted gross income does not exceed \$55,000. The credit is capped at \$1,000,000 annually.

This bill was carried over on the Special Appropriations Table to any special or regular session of the 127th Legislature by joint order, S.P. 555.

**LD 367      An Act To Protect the Income of Service Workers**

**ONTP**

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

*Joint Standing Committee on Taxation*

This bill exempts from Maine income tax all tips included in federal adjusted gross income.

**LD 409 An Act To Lower the Individual Income Tax Incrementally to Zero**

**Accepted Majority (ONTP) Report**

<u>Sponsor(s)</u>	<u>Committee Report</u>	<u>Amendments Adopted</u>
O'CONNOR BRAKEY	ONTP OTP-AM	

This bill provides for the phase-out of the individual income tax. Income taxes are reduced 25 percent beginning with 2016 tax years. A calculation is done each following year, and further 25 percent reductions are implemented when revenues exceed the amount of revenue for the year preceding the previous reduction.

**Committee Amendment "A" (H-212)**

This amendment, the minority report of the committee, clarifies the timing and calculation of future income tax reductions provided in the bill.

**LD 432 An Act To Exempt Fuel Purchased for Off-road Use in Commercial Construction and Wood Harvesting Equipment from Sales and Use Tax**

**ONTP**

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

This bill provides a sales and use tax refund or exemption for fuel purchased for off-road use in commercial wood harvesting or commercial construction equipment.

See also LD 30 and LD 290.

**LD 444 An Act To Allow a Motor Vehicle Excise Tax Credit for a Vehicle No Longer in Use**

**PUBLIC 87**

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

This bill extends the motor vehicle excise tax credit to situations where the use of the vehicle is totally discontinued. This bill requires the owner of the vehicle to provide a signed statement attesting that the vehicle from which the credit is being transferred is totally discontinued and states that if the owner who has totally discontinued use of a vehicle later seeks to register that vehicle, no excise tax credits may be applied with respect to the registration of that vehicle or any subsequent transfer of that vehicle's registration.

**Enacted Law Summary**

Public Law 2015, chapter 87 extends the motor vehicle excise tax credit for destroyed, junked or abandoned motor vehicles to situations where the use of a vehicle is totally discontinued. This law requires the owner of the vehicle to provide a signed statement attesting that use of the vehicle from which the credit is being transferred is totally discontinued and states that if the owner who has totally discontinued use of a vehicle later seeks to register that vehicle, no excise tax credits may be applied with respect to the registration of that vehicle or any subsequent

*Joint Standing Committee on Taxation*

transfer of that vehicle's registration.

**LD 497      An Act To Provide a Sales Tax Rebate for Certain Organizations      ONTP**  
**Providing Services to Disabled Veterans**

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

This bill provides a sales tax exemption or refund for meals and lodging connected with seminars and retreats provided by certain nonprofit veterans' services organizations to veterans with service-related disabilities and their families.

**LD 498      An Act To Restore the Super Credit for Substantially Increased      CARRIED OVER**  
**Research and Development**

<u>Sponsor(s)</u>	<u>Committee Report</u>	<u>Amendments Adopted</u>
NUTTING MCCORMICK	OTP-AM	H-96

This bill restores the availability of the super credit for substantially increased research and development, retroactive to January 1, 2014, restricts the carry-over period to five years and increases the limit on the credit to no more than 50 percent of the taxpayer's tax due after the allowance of other tax credits.

This bill was carried over on the Special Appropriations Table to any special or regular session of the 127th Legislature by joint order, S.P. 555.

**Committee Amendment "A" (H-96)**

This amendment amends the definition of "super credit base amount" to provide that the base amount is reset if the taxpayer did not claim the super credit for three consecutive taxable years immediately prior to January 1, 2014.

**LD 499      An Act To Create Jobs in the Forest Products Industry      ONTP**

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

This bill provides a complete exemption from property tax for land enrolled under the Maine Tree Growth Tax Law when the forest products harvested from that land are processed solely at mills located in Maine.

**LD 500      Resolve, To Create a Working Group To Develop Solutions To Meet the      RESOLVE 49**  
**Needs for Municipal Volunteer Personnel**

<u>Sponsor(s)</u>	<u>Committee Report</u>	<u>Amendments Adopted</u>
EVES DUTREMBLE	OTP-AM	H-376 H-418 LAJOIE S-333 MASON

*Joint Standing Committee on Taxation*

This bill authorizes municipalities to provide benefits of up to \$750 for persons who serve as volunteer firefighters or volunteer emergency medical services personnel.

**Committee Amendment "A" (H-376)**

This amendment strikes the bill and replaces it with a resolve that establishes the Municipal Volunteer Working Group to find solutions to the recruitment, training and retention problems facing volunteer fire departments and volunteer emergency medical services providers in the State.

**House Amendment "A" To Committee Amendment "A" (H-418)**

This amendment strikes the emergency preamble and emergency clause.

**Senate Amendment "A" To Committee Amendment "A" (S-333)**

This amendment decreases the number of members on the working group from nine to seven by decreasing the number of members of the Senate from two to one and the number of members of the House of Representatives from three to two. The amendment also limits to three the number of meetings authorized for the working group.

**Enacted Law Summary**

Resolve 2015, chapter 49 took effect without the Governor's signature and establishes the Municipal Volunteer Working Group to find solutions to the recruitment, training and retention problems facing volunteer fire departments and volunteer emergency medical services providers in the State.

**LD 501      An Act To Amend the Estate Tax Laws      ONTP**

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

This bill reduces the \$2,000,000 Maine exclusion amount for the Maine estate tax to \$1,000,000 for the estates of decedents who die on or after January 1, 2016.

**LD 502      An Act To Repeal the Service Provider Tax on Private Nonmedical Institutions and To Offset That Revenue Loss      ONTP**

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

This bill repeals the service provider tax on private nonmedical institutions and expands the tax to cover motion picture entertainment and certain winter sports. The revenue from the newly covered services is dedicated to fund medical services eligible for matching federal Medicaid funding currently funded by revenue from the tax on private nonmedical institutions. The bill also corrects an oversight by identifying the application of revenue from the service provider tax on group residential services for persons with brain injuries.

*Joint Standing Committee on Taxation*

**LD 503      An Act To Provide Local Sales Tax Increment Disbursements**

**Accepted Majority  
(ONTP) Report**

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

This bill requires payments beginning in fiscal year 2017-18 to municipalities of an amount, as determined by the State Tax Assessor, equal to five percent of the difference between the sales and use tax revenue attributable to the municipality in a fiscal year and the comparable amounts for fiscal year 2016-17, referred to as the "local sales tax increment." The base year for determining the local sales tax increment is reset in fiscal year 2020-21 and every four years thereafter. The amount received may not reduce any other state aid or revenue sharing received by that municipality, and the municipality must use the amount received to reduce property taxes by the same amount. The Unorganized Territory Education and Services Fund receives the local sales tax increment payment for the unorganized territory and is subject to the same requirement to use the revenue to reduce property taxes.

**Committee Amendment "A" (H-231)**

This amendment, the minority report of the committee, removes the requirement in the bill that a municipality use local sales tax increment revenue to reduce the property tax levy and clarifies the timing of the calculation of the sales tax increment.

**LD 514      An Act To Amend the Laws Governing the Location of Motor Vehicle  
Excise Tax Collection for Motor Vehicles Owned by Public Utilities**

**PUBLIC 98**

<u>Sponsor(s)</u>	<u>Committee Report</u>	<u>Amendments Adopted</u>
BUCKLAND SAVIELLO	OTP-AM	H-94

This bill treats public utilities like other corporations and partnerships by requiring the payment of excise tax to the place where the owner has a permanent location where its motor vehicles are kept rather than the location where its registered or main office is located.

**Committee Amendment "A" (H-94)**

This amendment adds an effective date of January 1, 2017.

**Enacted Law Summary**

Public Law 2015, chapter 98 requires a public utility to pay motor vehicle excise tax to the place where the utility has a permanent location where its motor vehicles are kept rather than the location where its registered or main office is located.

**LD 519      An Act To Allow Telecommunications Infrastructure Investment in  
Development Districts for Municipalities and Plantations**

**ONTP**

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

*Joint Standing Committee on Taxation*

This bill adds cellular telephone towers and broadband infrastructure to the list of authorized project costs in the tax increment financing laws governing development districts.

**LD 541      An Act To Promote Sustainability in Home Ownership for First-time Home Buyers      ONTP**

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

This bill expands the homestead property tax exemption to include homeowners who have owned a homestead for less than 12 months but have completed a state-approved home ownership education course.

**LD 542      An Act To Reduce Property Taxes      ONTP**

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

This bill is a concept draft pursuant to Joint Rule 208 which proposes to reduce the property tax burden by improving property tax relief programs.

**LD 550      An Act To Improve the Process for Obtaining an Adjustment in State Valuation Due to Sudden and Severe Reduction in Municipal Valuation      PUBLIC 236 EMERGENCY**

<u>Sponsor(s)</u>	<u>Committee Report</u>	<u>Amendments Adopted</u>
CAMPBELL R ROSEN	OTP-AM	H-323

This bill provides that, for fiscal year 2015-16 and beyond, in the event a municipality is approved for an adjustment to its state property valuation due to a sudden and severe disruption in its municipal valuation, that adjusted state valuation is the property fiscal capacity for purposes of determining municipal contributions under the school funding formula. This bill also provides that the 2015 valuation of the paper mill located in the Town of Bucksport is equal to its 2014 valuation and sets the property fiscal capacity for the Town of Bucksport at \$568,950 [sic] for fiscal year 2015-16.

**Committee Amendment "A" (H-323)**

This amendment strikes the provisions of the bill amending the school funding formula and regarding the Town of Bucksport and instead amends one of the conditions of eligibility for an adjustment of state valuation for sudden and severe disruption of municipal valuation by providing that a municipality is eligible if the municipality's equalized tax rate of residential property following the sudden and severe disruption in municipal valuation exceeds the most recent state average of residential property for which data is available.

**Enacted Law Summary**

Public Law 2015, chapter 236 amends one of the conditions of eligibility for an adjustment of state valuation for sudden and severe disruption of municipal valuation by providing that a municipality is eligible if the municipality's equalized tax rate of residential property following the sudden and severe disruption in municipal valuation exceeds the most recent state average of residential property for which data is available.

*Joint Standing Committee on Taxation*

Public Law 2015, chapter 236 was enacted as an emergency measure effective June 23, 2015.

**LD 565      An Act To Authorize Municipalities To Impose Service Charges on  
Tax-exempt Property Owned by Certain Nonprofit Organizations**

**ONTP**

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

This bill authorizes a municipality to impose service charges on property that is exempt from property tax because it is owned and used by entities in the following categories: benevolent and charitable institutions; literary and scientific institutions; chambers of commerce and boards of trade; fraternal organizations operating under a lodge system; and property jointly owned or used by those entities. Service charges may not be imposed on property exempt as a house of worship or parsonage or a veterans' organization.

Service charges may only be imposed if:

1. The property is owned by an entity that owns exempt property in the municipality that would have a total assessed value of at least \$1,000,000 if assessed for property tax purposes;
2. The property is owned by, rented to or otherwise occupied by a person or entity that provides any employee or independent contractor providing professional management services with compensation, exclusive of health benefits, in excess of four times the median household income for the county in which the property is located;
3. The municipality adopts by referendum an ordinance imposing service charges;
4. The municipality imposes service charges on all other property in that municipality that is within the same category of exempt property;
5. The calculation of service charges imposed by municipalities is based on the square footage of building space that is exempt from taxation unless the municipality determines that a different measure more accurately represents the cost of services for which the service charges are imposed; and
6. Service charges must be reduced by any payments made or services provided to the municipality by the exempt entity in lieu of taxes.

The bill provides that municipal ordinances adopted before the effective date of the legislation remain valid even if they do not comply with the new requirements. The bill retains the requirement in current law that service charges may not exceed two percent of the entity's gross annual revenue.

**LD 575      An Act To Provide Property Tax Relief to Maine's Working Families**

**ONTP**

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

This bill increases the Maine resident homestead property tax exemption from \$10,000 to \$20,000. In order to offset the increased cost to the State of reimbursing municipalities for the revenue loss attributable to the increase in the homestead exemption, this bill also extends the sales and use tax to amusement, entertainment and recreation services, such as admission fees to entertainment venues and performances, including movies, theaters and

*Joint Standing Committee on Taxation*

amusement parks, participation fees, including for bowling, golf or skiing, and fees for entertainment services, including those provided by bands, orchestras, disc jockeys and comedians.

**LD 581      An Act To Clarify the Municipal Development District Law      ONTP**

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

This bill defines the terms "blighted area" and "credit enhancement agreement" in the municipal development district laws and provides a mechanism for the use of credit enhancement agreements in blighted areas. It also requires greater advance notice of public hearings on development districts and broadens the range of parties entitled to receive direct notice of such hearings.

**LD 590      An Act To Exempt a Fee for a Paper or Plastic Single-use Carry-out Bag from Tax      PUBLIC 150 EMERGENCY**

<u>Sponsor(s)</u>	<u>Committee Report</u>	<u>Amendments Adopted</u>
SAVIELLO CAMPBELL R	OTP-AM	S-15

This bill exempts from sales tax any fee placed on a paper or plastic single-use carry-out bag.

**Committee Amendment "A" (S-15)**

This amendment incorporates a fiscal note.

**Enacted Law Summary**

Public Law 2015, chapter 150 excludes from sales tax any amount charged for a paper or plastic carry-out bag.

Public Law 2015, chapter 150 was enacted as an emergency measure effective June 9, 2015.

**LD 592      An Act To Extend to Certain Fruit and Vegetable Growers the Sales Tax Exemption for Fuel      Died On Adjournment**

<u>Sponsor(s)</u>	<u>Committee Report</u>	<u>Amendments Adopted</u>
WHITTEMORE MCCABE	OTP-AM ONTP	S-136

Current law allows a person to request a refund of the amount of sales tax paid on the purchase of electricity used in commercial agricultural production. Current law also provides an exemption from sales tax for 95% of the sale price of fuel and electricity purchased for use at a manufacturing facility.

This bill, beginning January 1, 2016, extends the sales tax exemption for fuel to a greenhouse facility that occupies at least 1,000,000 square feet of indoor space that is operated by an agricultural employer that employs at least 100 employees and is engaged in the year-round commercial production of fruits or vegetables. The ability of that agricultural employer to obtain a refund for sales tax paid on electricity used in commercial agriculture production is not affected by this bill.

*Joint Standing Committee on Taxation*

**Committee Amendment "A" (S-136)**

This amendment, the majority report of the committee, removes language from the bill that deems certain greenhouse facilities to be manufacturing facilities and establishes the proposed sales tax exemption independently of the exemption for manufacturing facilities.

The substance of the bill was included in the biennial budget bill, Public Law 2015, chapter 267, Part KKKK. Please see LD 1019, summarized under the Joint Standing Committee on Appropriations and Financial Affairs.

**LD 594      An Act To Allow the Creation of a Local Option Sales Tax by Referendum** **Accepted Majority (ONTP) Report**

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

This bill allows a municipality to impose a local option sales tax, which may be seasonal, of no more than one percent by local referendum. Certain items, such as motor vehicles and major household appliances, are excluded from the local option sales tax.

**Committee Amendment "A" (S-135)**

This amendment, the minority report of the committee, incorporates a fiscal note.

**LD 614      An Act Regarding the Excise Tax Levied on Used Motor Vehicles** **ONTP**

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

This bill specifies that a motor vehicle being registered for a second time during the first model year of that motor vehicle or a motor vehicle that is still in its first model year but is not covered by a manufacturer's new car warranty is considered a used vehicle and requires the excise tax to be based on the second model year.

**LD 625      An Act To Increase the Tax Exemption for Pensions** **ONTP**

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

This bill increases from \$10,000 to \$15,000 the maximum amount of pension benefits that may be excluded from taxable income for Maine income tax purposes.

See also LD 27 and LD 760.

*Joint Standing Committee on Taxation*

**LD 644      An Act To Exempt Annuity Considerations from Tax**

**Died Between  
Houses**

<u>Sponsor(s)</u>	<u>Committee Report</u>	<u>Amendments Adopted</u>
WHITTEMORE O'CONNOR	OTP-AM ONTP	

This bill phases out the tax imposed upon annuity considerations. The current tax of two percent is decreased by 0.5 percent each year beginning in 2016 until it is eliminated beginning January 1, 2019.

**Committee Amendment "A" (S-134)**

This amendment, the majority report of the committee, makes technical changes to the bill to reference the correct tax years. The amendment also adds an appropriations and allocations section.

**LD 646      An Act To Provide Incentives for Municipal Cooperation and Shared Services**

**CARRIED OVER**

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

This bill provides an incentive for municipalities to enter into interlocal cooperative agreements by sheltering a portion of the municipalities' equalized valuations dedicated to the financial support of the joint services. Sheltering of value would be likely to increase the municipalities' shares of General Purpose Aid to local schools, municipal revenue sharing and reduce the municipalities' share of county taxes.

This bill was carried over to any special or regular session of the 127th Legislature by joint order, H.P. 992.

**LD 648      An Act To Increase the Earned Income Tax Credit for Maine Residents**

**ONTP**

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

This bill increases the earned income tax credit for Maine residents from five percent of the federal earned income credit to 20 percent of the federal earned income credit. This bill also repeals the eligibility of nonresidents and part-year residents for the Maine earned income tax credit.

See also LD 96 and LD 963.

**LD 689      An Act To Support Maine's Tourism Marketing Promotion Program by Eliminating the Sales Tax Exemption for Casual Rentals for Fewer Than 15 Days a Year**

**Accepted Majority  
(ONTP) Report**

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

*Joint Standing Committee on Taxation*

This bill eliminates the exemption from sales tax currently allowed on the rental of living quarters for fewer than 15 days a year.

**Committee Amendment "A" (S-132)**

This amendment, the minority report of the committee, incorporates a fiscal note.

**LD 718      An Act To Avoid Loss of Revenue to the State      ONTP**

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

This bill continues the sales tax on lodging at eight percent on and after July 1, 2015 in order to avoid the decrease to seven percent scheduled under current law.

**LD 740      An Act To Sustain Maine's Primary Care Professional Workforce      PUBLIC 108**

<u>Sponsor(s)</u>	<u>Committee Report</u>	<u>Amendments Adopted</u>
DAVIS ALLEY	OTP-AM	S-56

This bill expands eligibility for the income tax credit for eligible new primary care professionals to include persons already practicing in underserved areas and certified as eligible by the Department of Health and Human Services in order to facilitate retention as well as recruitment of eligible professionals.

**Committee Amendment "A" (S-56)**

This amendment adds an application date to the bill.

**Enacted Law Summary**

Public Law 2015, chapter 108 expands eligibility for the income tax credit for eligible new primary care professionals, for tax years beginning on or after January 1, 2015, to include persons already practicing in underserved areas and certified as eligible by the Department of Health and Human Services in order to facilitate retention as well as recruitment of eligible professionals

**LD 759      An Act To Establish a Sales Tax Holiday      ONTP**

<u>Sponsor(s)</u>	<u>Committee Report</u>	<u>Amendments Adopted</u>
KINNEY M EDGEComb P	ONTP	

This bill exempts from sales tax sales of clothing and school supplies occurring on the second Saturday of August each year.

See also LD 932.

*Joint Standing Committee on Taxation*

**LD 760      An Act To Increase the Deduction for Pension Income      ONTP**

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

This bill increases from \$10,000 to \$35,000 the maximum amount of pension benefits that are not included in income for Maine income tax purposes. The increased deduction applies to tax years beginning on or after January 1, 2015.

See also LD 27 and LD 625.

**LD 769      An Act To Reduce Tax Expenditures      ONTP**

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

This bill is a concept draft pursuant to Joint Rule 208. This bill proposes to require the Department of Administrative and Financial Services, Bureau of Revenue Services, the Department of Labor and the Department of Economic and Community Development, jointly and based on the report of the Office of Program Evaluation and Government Accountability regarding Maine tax expenditures, as required by Resolve 2013, chapter 115, to develop a plan to reduce or eliminate tax expenditures that do not maintain or increase employment within Maine.

See also LD 934 and LD 941.

**LD 786      An Act To Help Property Tax Payers      ONTP**

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

This bill is a concept draft pursuant to Joint Rule 208. This bill proposes to help property tax payers by ensuring that laws requiring funding by the State for municipal revenue services, government assistance and education are complied with and possibly enhanced.

See also LD 899, LD 910, LD 980 and LD 1060.

**LD 787      An Act To Provide Tax Credits for Adult Day Care and Respite and Hospice Care      PUBLIC 340**

<u>Sponsor(s)</u>	<u>Committee Report</u>	<u>Amendments Adopted</u>
HARLOW	ONTP OTP-AM	H-95 S-72 SAVIELLO S-328 HAMPER

*Joint Standing Committee on Taxation*

This bill expands the income tax credit for child and dependent care expenses to include expenses paid for adult day care, respite care and hospice care.

**Committee Amendment "A" (H-95)**

This amendment, the minority report of the committee, incorporates a fiscal note.

**Senate Amendment "A" (S-72)**

This amendment clarifies the intent of the bill by specifying that the credit is for expenses paid for a dependent for adult day care, hospice services and respite care. To distinguish the new credit from the child care expenses credit, the adult dependent care expenses credit only applies to dependents who are at least 21 years of age. Also, unlike the child care expenses credit, the expenses do not have to be incurred to enable the taxpayer to be gainfully employed. Like the child care expenses credit, the expenses may not exceed \$3,000 for one dependent or \$6,000 for two or more dependents and the credit is refundable up to \$500.

**Senate Amendment "A" To Senate Amendment "A" (S-328)**

This amendment adds an effective date of January 1, 2016 and changes the application date of the tax credit to apply to tax years beginning on or after January 1, 2016.

**Enacted Law Summary**

Public Law 2015, chapter 340 expands the income tax credit for child and dependent care expenses for tax years beginning on or after January 1, 2016 to include expenses paid for a dependent who is at least 21 years of age for adult day care, respite care and hospice care. Expenses do not have to be incurred to enable the taxpayer to be gainfully employed and may not exceed \$3,000 for one dependent or \$6,000 for two or more dependents. The credit is refundable up to \$500.

**LD 819 An Act Regarding the Taxation of Kombucha**

**Veto Sustained**

Sponsor(s)

ALFOND  
HICKMAN

Committee Report

OTP-AM

Amendments Adopted

S-213

This bill exempts kombucha, a fermented tea-based drink, from the excise tax imposed on malt liquor, low-alcohol spirits, wine and hard cider.

**Committee Amendment "A" (S-213)**

This amendment replaces the bill and provides for the taxation of kombucha manufactured in or imported into the State of 35¢ per gallon, the same rate at which hard cider is taxed.

**LD 835 An Act To Amend the Individual Income Tax Laws**

**ONTP**

Sponsor(s)

TIPPING-SPITZ  
HASKELL

Committee Report

ONTP

Amendments Adopted

This bill creates a new income tax bracket with a rate of 10 percent and a threshold of \$120,000 for single filers, \$180,000 for head-of-household filers and \$240,000 for persons filing joint returns.

*Joint Standing Committee on Taxation*

See also LD 95 and LD 1269.

**LD 836      An Act To Exempt the American Legion and Veterans of Foreign Wars from the Sales Tax      ONTP**

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

This bill provides an exemption from the sales and use tax for sales made to posts of the American Legion or Veterans of Foreign Wars.

**LD 859      An Act To Improve Camping Opportunities in Maine      ONTP**

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

This bill repeals the definitions of "tourist camp" and "trailer camp" and replaces those terms with the term "campground" in the Sales and Use Tax Law. This bill exempts from sales and use tax rental fees charged to a person who resides for 28 days or longer at one campground. This bill also exempts from the sales and use tax the rental of a campsite as long as nothing else of value is given by the owner of that campsite to the renter.

**LD 867      An Act To Provide Tax Fairness and To Lower Medical Expenses for Patients under the Maine Medical Use of Marijuana Act      CARRIED OVER**

<u>Sponsor(s)</u>	<u>Committee Report</u>	<u>Amendments Adopted</u>
LIBBY MALABY	OTP-AM	S-178

This bill allows a taxpayer, either an individual or corporation, that operates a registered dispensary of medical marijuana pursuant to the Maine Medical Use of Marijuana Act to deduct from income the costs of operating that registered dispensary. The bill also allows a qualified patient to deduct from income the costs of medical marijuana purchased by that qualifying patient.

**Committee Amendment "A" (S-178)**

This amendment adds references to the United States Internal Revenue Code of 1986 to ensure proper administration of the deductions created by the bill.

This bill was carried over on the Special Appropriations Table to any special or regular session of the 127th Legislature by joint order, S.P. 555.

**LD 871      An Act To Provide for Cooperation between Municipalities with Tax Increment Financing Districts      ONTP**

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

*Joint Standing Committee on Taxation*

This bill allows contiguous municipalities with separate development districts to share the costs for a project that is authorized for inclusion in a development program.

**LD 898      An Act To Reduce Student Loan Debt through an Expansion of the Educational Opportunity Tax Credit      CARRIED OVER**

<u>Sponsor(s)</u>	<u>Committee Report</u>	<u>Amendments Adopted</u>
CHENETTE ALFOND	OTP-AM	H-229

This bill allows students who are pursuing or have pursued a course of study available only at a public institution outside the State as part of the New England regional student program offered by the New England Board of Higher Education to be eligible for the educational opportunity tax credit, starting with the tax year beginning January 1, 2016.

**Committee Amendment "A" (H-229)**

This amendment extends to a graduate who pursued a course of study available only at a public institution outside the State as part of the New England regional student program offered by the New England Board of Higher Education the same allowance as is provided for graduates of Maine accredited institutions, which provides that a graduate is not disqualified if 30 or fewer of the graduate's credit hours were obtained from a nonqualifying non-Maine community college, college or university. The amendment also makes changes to the definition of "principal cap" in order to avoid misinterpretation.

This bill was carried over on the Special Appropriations Table to any special or regular session of the 127th Legislature by joint order, S.P. 555.

**LD 899      An Act To Ensure a Stable Percentage of Revenue Sharing for Municipalities      ONTP**

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

This bill is a concept draft pursuant to Joint Rule 208. This bill proposes to amend the state-municipal revenue sharing law to ensure that five percent of the receipts from the sales, income and service provider taxes continues to be distributed to municipalities to allow them to stabilize the property tax burden and finance municipal services.

See also LD 910, LD 980 and LD 1060.

**LD 900      An Act To Make Public Certain Tax Information Related to Municipal Valuation      ONTP**

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

This bill allows a taxpayer's proprietary information, which is considered confidential information exempt from the freedom of access laws, to be shared with the municipal officers meeting in executive session when such

*Joint Standing Committee on Taxation*

information has the potential to reduce the valuation of the municipality by more than five percent due to a reduction in the property valuation of that taxpayer.

**LD 910      An Act To Fully Fund Municipal Revenue Sharing      ONTP**

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

This bill is a concept draft pursuant to Joint Rule 208. This bill proposes to amend the method of funding state-municipal revenue sharing to ensure that it remains a reliable source of funds for stabilizing the municipal property tax burden and aiding in financing all municipal services.

See also LD 899, LD 980 and LD 1060.

**LD 922      An Act To Provide an Income Tax Exemption for Pension or Retirement Plans for Veterans Who Are Totally Disabled      ONTP**

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

This bill provides a complete exemption from Maine income tax for United States military retirement pension benefits for service as a veteran in the active or reserve components of the Army, Navy, Air Force, Marines or Coast Guard received by a person who is totally disabled.

**LD 930      An Act To Attract Young Families to Maine and Keep Young Families in Maine by Expanding the Child Care Tax Credit      Accepted Majority (ONTP) Report**

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

This bill amends the income tax credit for child care expenses by increasing the credit from 25 percent of the federal tax credit allowable for child and dependent care expenses to 100 percent of that federal tax credit for tax years beginning on or after January 1, 2015. This bill also makes the credit completely refundable.

**Committee Amendment "A" (S-65)**

This amendment, the minority report of the committee, incorporates a fiscal note.

**LD 932      An Act To Designate a Sales Tax Holiday      ONTP**

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

## Joint Standing Committee on Taxation

This bill, beginning in 2016, establishes an annual sales tax holiday on the second Saturday in August to exempt from sales tax sales of items of clothing with a price of \$100 or less, items of school supplies with a price of \$100 or less and individual computers, not including those used in a trade or business, with a price of \$1,500 or less.

See also LD 759.

### **LD 934      An Act To Create Transparency in Maine's Economic Development Spending      ONTP**

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

This bill requires the disclosure of the names of businesses benefiting from economic development spending and tax expenditures in excess of \$5,000 annually. The Department of Economic and Community Development is required to submit information regarding reportable economic development spending to the Department of Administrative and Financial Services, Bureau of Revenue Services, Office of Tax Policy annually. The Bureau of Revenue Services is required to identify businesses receiving \$5,000 or more annually from economic development tax expenditures. The Office of Tax Policy is required to submit a report annually to the Legislature regarding economic development spending and tax expenditures and make the information available on its publicly accessible website.

See also LD 769 and LD 941.

### **LD 941      An Act To Improve Tax Expenditure Transparency and Accountability      PUBLIC 344**

<u>Sponsor(s)</u>	<u>Committee Report</u>	<u>Amendments Adopted</u>
DAVIS ROTUNDO	OTP-AM	S-296 S-322    HAMPER

This bill is a concept draft pursuant to Joint Rule 208. The bill, using the report of the Office of Program Evaluation and Government Accountability regarding Maine tax expenditures, as required by Resolve 2013, chapter 115, proposes to build upon that work and improve the evaluation process for tax expenditures and tax credits, including providing better information to the public about the cost and benefits of those expenditures and credits.

#### **Committee Amendment "A" (S-296)**

This amendment replaces the bill and establishes a process for legislative review of tax expenditures based on the report of the Office of Program Evaluation and Government Accountability pursuant to Resolve 2013, chapter 115.

#### **Senate Amendment "A" To Committee Amendment "A" (S-322)**

This amendment provides funding for the new positions from lapsed balances in the Office of Program Evaluation and Government Accountability for fiscal year 2015-16 and from the Legislature for fiscal year 2016-17.

#### **Enacted Law Summary**

Public Law 2015, chapter 344 establishes a process for legislative review of tax expenditures based on the report of the Office of Program Evaluation and Government Accountability pursuant to Resolve 2013, chapter 115.

*Joint Standing Committee on Taxation*

**LD 963      An Act To Strengthen the Benefits of the State Earned Income Tax      ONTP**  
**Credit for Childless Workers**

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

This bill increases the state earned income tax credit for an individual with no qualifying child from five percent to 50 percent of the federal credit and makes it refundable.

See also LD 96 and LD 648.

**LD 965      RESOLUTION, Proposing an Amendment to the Constitution of Maine      ONTP**  
**To Permit the Freezing of Property Taxes on the Homes of Maine**  
**Residents Who Are 65 Years of Age or Older**

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

This resolution proposes to amend the Constitution of Maine to allow the Legislature to enact a law freezing property taxes on a primary residence of a person who is 65 years of age or older and who owns the residence if the residence is a single-family residence, no member of the household is less than 55 years of age and the residence is the only property owned by any household member. If the property ceases to be the primary residence of a person who is 65 years of age or older, the property must be taxed in the same manner as other property.

**LD 967      An Act To Establish Municipal Cost Components for Unorganized      PUBLIC 197**  
**Territory Services To Be Rendered in Fiscal Year 2015-16      EMERGENCY**

<u>Sponsor(s)</u>	<u>Committee Report</u>	<u>Amendments Adopted</u>
	OTP-AM	H-210

This bill establishes municipal cost components for state and county services provided to the unorganized territory that would be paid for by a municipality and that constitute the property tax obligation in the unorganized territory.

**Committee Amendment "A" (H-210)**

This amendment incorporates a fiscal note.

**Enacted Law Summary**

Public Law 2015, chapter 197 establishes municipal cost components for state and county services provided to the unorganized territory that would be paid for by a municipality and that constitute the property tax obligation in the unorganized territory.

Public Law 2015, chapter 197 was enacted as an emergency measure effective on June 16, 2015.

*Joint Standing Committee on Taxation*

**LD 973      An Act To Ensure That Nicotine Products Are Taxed Equally**

**CARRIED OVER**

Sponsor(s)  
MCCABE

Committee Report

Amendments Adopted

This bill includes an electronic cigarette in the definition of "cigarette" for the purpose of assessing the cigarette tax.

This bill was carried over to any special or regular session of the 127th Legislature by joint order, H.P. 992.

**LD 980      An Act To Restore Revenue Sharing**

**Died Between  
Houses**

Sponsor(s)  
TEPLER  
BREEN

Committee Report  
OTP-AM  
ONTP

Amendments Adopted  
H-321

This bill restores state-municipal revenue sharing by the fiscal year beginning July 1, 2018 by transferring from state-municipal revenue sharing each fiscal year for the next three fiscal years an increasingly lesser amount than the fiscal year 2014-15 amount.

**Committee Amendment "A" (H-321)**

This amendment, the majority report of the committee, incorporates a fiscal note.

**House Amendment "A" (H-390)**

This amendment removes the emergency preamble and emergency clause.

See also LD 786, LD 899, LD 910 and LD 1060.

**LD 1000      An Act To Define Prosthetic and Orthotic Devices for Purposes of the  
Sales Tax Law**

**CARRIED OVER**

Sponsor(s)  
GIDEON  
ALFOND

Committee Report  
OTP-AM

Amendments Adopted  
H-110

This bill creates definitions for "prosthetic or orthotic device" and "prescription" within the sales tax exemption laws. It attempts to clarify the sales tax exemption for prosthetic devices and exempts orthotic devices sold by prescription.

**Committee Amendment "A" (H-110)**

This amendment clarifies the term "health care practitioner" who may prescribe potentially exempt items under the bill by adding a cross-reference to the definition of that term in the Maine Revised Statutes, Title 24, section 2502.

This bill was carried over on the Special Appropriations Table to any special or regular session of the 127th Legislature by joint order, S.P. 555.

*Joint Standing Committee on Taxation*

**LD 1001 An Act To Enact a New Hire Tax Credit and To Create Initiatives To Help Families Move from Assistance to Employment**

**ONTP**

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

This bill creates a new hire tax credit for an employer in the amount of 50 percent of the wages of a new employee who was a recipient of benefits under the Temporary Assistance for Needy Families program and who is employed at least 20 hours per week on average by the employer. This bill also directs the Department of Health and Human Services to develop recommended legislation to adjust the level of assistance under state benefits programs based upon earned income for low-income recipients of state assistance who are employed by an employer who receives a new hire tax credit and to recommend other measures in statute, rule and policy that will enable low-income recipients of state assistance to obtain stable and lasting employment.

**LD 1004 An Act To Provide Incentives To Foster Economic Growth and Build Infrastructure in the State by Encouraging Visual Media Production**

**CARRIED OVER**

<u>Sponsor(s)</u>	<u>Committee Report</u>	<u>Amendments Adopted</u>
PICCHIOTTI WHITTEMORE	ONTP OTP-AM	H-326

This bill makes the following changes to the visual media production certification process, reimbursement and credit:

1. It specifies that a visual media production expense must be for preproduction, production and postproduction work performed in Maine;
2. It increases the cap on wages that can be included as a visual media production expense from \$50,000 per individual to \$250,000 per individual;
3. It requires the applicant for visual media production certification to agree to pay an administrative fee before being reimbursed. The administrative fee is 0.2 percent of the reimbursement amount, except that the minimum amount of the fee may not be less than \$200 and the maximum amount of the fee may not exceed \$5,000;
4. It specifies that the reimbursement for certified production wages is only for wages paid to below-the-line personnel, which includes nonstarring cast members and the technical production and postproduction staff of a visual media production company;
5. It increases the reimbursement rate from 12 percent to 25 percent of certified production wages that are paid to Maine residents and from 10 percent to 15 percent for certified production wages paid to non-Maine residents;
6. It repeals the certified visual media production tax credit and instead provides for the reimbursement of 25 percent of nonwage visual media production expenses as long as the company has at least \$30,000 in visual media production expenses from the certified production;
7. It specifies that, in order to be eligible for either the certified production wage reimbursement or the nonwage visual media production expense reimbursement, at least 50 percent of the below-the-line personnel, not including extras, must be Maine residents, unless the company certifies that it cannot meet this requirement due to an insufficient number of qualified Maine residents, and either the visual media production expenses exceed 50 percent of the total production expenses or at least 50% of the total principle photography days occur in Maine; and

*Joint Standing Committee on Taxation*

8. It specifies that a person claiming the Pine Tree Development Zone tax credit is not eligible to get the visual media production reimbursement.

**Committee Amendment "A" (H-326)**

This amendment, the minority report of the committee, removes the emergency preamble and emergency clause from the bill and adds provisions establishing a refundable income tax credit for a major visual media production, which is defined as a visual media production with an overall budget that is greater than \$1,000,000. The credit applies to tax years beginning on or after January 1, 2015. The amendment also requires the joint standing committee of the Legislature with jurisdiction over taxation matters to review by December 1, 2021 the reimbursements and tax credits for visual media production companies and make a recommendation to the Legislature with regard to retention, repeal or modification of the provisions. The amendment also adds an appropriations and allocations section.

See also LD 1164.

This bill was carried over on the Special Appropriations Table to any special or regular session of the 127th Legislature by joint order, S.P. 555.

**LD 1007      Resolve, To Study the Tax Exemption Provided to Nonprofit Entities      ONTP**

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

This resolve is a concept draft pursuant to Joint Rule 208. This resolve proposes to examine property tax exemptions for property of nonprofit organizations, including land trusts, and determine whether the loss of revenue to a municipality is outweighed by the benefits provided to that municipality by the tax-exempt nonprofit organization.

**LD 1055      An Act To Allow a Municipality To Abate Taxes Assessed on Property That Is Destroyed      ONTP**

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

This bill allows municipal assessors, or the State Tax Assessor for property in the unorganized territory, to abate the property taxes of residential real property that, due to destruction by fire, explosion or natural disaster, suffers at least a 50 percent decrease in just value to improvements on that residential real property. The abatement is limited to property that qualifies as a homestead under the Maine resident homestead property tax exemption. For an individual homestead, the amount of the abatement is limited to 10 percent of the overlay for the property tax year in which the abatement is sought. If more than one homestead requests an abatement in a single property tax year, the aggregate amount of the abatements is limited to 50 percent of the overlay for the property tax year in which the multiple abatements are sought.

*Joint Standing Committee on Taxation*

**LD 1060     An Act To Strengthen Revenue Sharing     ONTP**

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

This bill is a concept draft pursuant to Joint Rule 208. This bill proposes to make adjustments to the state-municipal revenue sharing law to ensure the stability and continuity of a revenue stream for municipalities.

See also LD 899, LD 910 and LD 980.

**LD 1070     An Act To Retain More Retirees in Maine     ONTP**

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

This bill reduces taxes for retirees by phasing out over four years the income tax on retirement benefit plan and individual retirement account benefits. The bill also phases in over four years complete conformity of the Maine estate tax with the exclusion amount under the federal estate tax.

**LD 1072     An Act To Encourage Maine's Economic Competitiveness     ONTP**

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

This bill is a concept draft pursuant to Joint Rule 208. This bill proposes to amend the laws governing taxation to improve investment opportunities in the State.

**LD 1095     An Act To Enhance the Property Tax Fairness Credit for Maine's  
Low-income Seniors and Other Low-income Residents     Died Between  
Houses**

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

This bill amends the property tax fairness credit for property tax years beginning on or after January 1, 2015 in the following ways.

1. For purposes of calculating the benefit base upon which the credit is based, it increases the amount of property taxes paid or rent constituting property taxes paid that may be used in calculating the credit.
2. It increases the percentage of rent paid that may be considered rent constituting property taxes from 15 percent of the gross rent actually paid to 18 percent of the gross rent actually paid.

*Joint Standing Committee on Taxation*

3. It changes the calculation of the tax credit to increase it to 100 percent, instead of the current 50 percent, of the amount by which the benefit base exceeds five percent, instead of the current six percent, of the resident's income.

4. It increases the maximum credit for residents 65 years of age or older to \$2,000 from \$900 and for residents under 65 years of age to \$1,500 from \$600.

**Committee Amendment "A" (H-232)**

This amendment, a minority report of the committee, removes the provisions in the bill that change the calculation of rent constituting property taxes and decrease from six percent to five percent the income threshold for purposes of calculation of the property tax fairness credit. This amendment also removes incorrect references to "property tax year."

**Committee Amendment "B" (H-233)**

This amendment, a minority report of the committee, changes the bill to a resolve directing the Department of Administrative and Financial Services, Bureau of Revenue Services to submit information and analysis to the Joint Standing Committee on Taxation regarding the discontinued Maine Residents Property Tax Program and the property tax fairness credit and authorizes the committee to submit related legislation to the Second Regular Session of the 127th Legislature.

See also LD 76.

**LD 1126      An Act To Provide Property Tax Deferral for Senior Citizens and People with Disabilities      ONTP**

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

This bill reinstates the State's property tax deferral program, which was in effect for applications filed before April 1, 1991. The bill modifies the program to include households with at least one individual who is 65 years of age or older or who retired from gainful employment due to disability and to surviving spouses who are at least 60 years of age, and provides that household income must be less than \$40,000. This limit is indexed for inflation in 2016 and annually thereafter.

**LD 1142      An Act Regarding the Taxation of Out-of-state Pensions      CARRIED OVER**

<u>Sponsor(s)</u>	<u>Committee Report</u>	<u>Amendments Adopted</u>
TURNER BURNS	OTP-AM	H-340

This bill avoids double taxation of certain employee contributions to retirement benefit plans made in other states by exempting from Maine income tax the portion of retirement benefits attributable to the taxpayer's contribution to an employee retirement plan or an individual retirement account that was taxed by another jurisdiction.

**Committee Amendment "A" (H-340)**

This amendment provides that the proposed income tax exemption for certain income from out-of-state pensions applies only to the extent the income is included in federal adjusted gross income and not deducted under the general pension deduction. The amendment also adds a definition of "another jurisdiction."

*Joint Standing Committee on Taxation*

This bill was carried over on the Special Appropriations Table to any special or regular session of the 127th Legislature by joint order, S.P. 555.

**LD 1146 An Act To Increase Investment in Maine**

**Died Between Houses**

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

This bill taxes capital gains derived from the sale of real property held in Maine for business purposes for more than one year at three percent rather than the general income tax rate.

**Committee Amendment "A" (H-325)**

This amendment, the minority report of the committee, replaces the special income tax rate provided in the bill for certain capital gains derived from the sale of real property held for business purposes for more than one year with an income tax credit for those gains realized during the taxable year attributable to real property in the State. The amendment also adds an appropriations and allocations section.

**LD 1148 An Act To Implement a Local Ballot Referendum for Municipalities To Disallow Tax-exempt Status to Large Land Trusts**

**ONTP**

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

This bill allows a municipality, by referendum, to deny tax-exempt status to land trusts that are at least 20 acres in size. If the municipality denies tax-exempt status for a land trust, it must deny tax-exempt status to all land trusts of at least 20 acres located in that municipality.

**LD 1159 An Act To Modify the Property Tax Abatement Laws**

**ONTP**

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

This bill limits the amount of property taxes an assessing authority may abate for hardship, poverty or inability to pay to the amount of taxes owed on the residence and no more than two acres of land owned by the person seeking abatement.

**LD 1164 An Act To Promote Tourism and Foster Economic Development**

**ONTP**

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

This bill provides a refundable income tax credit for expenses and wages directly incurred in Maine by a major

*Joint Standing Committee on Taxation*

visual media production company, including for content that is produced for the Internet, in an amount of up to 25 percent of production expenses if the overall budget is greater than \$1,000,000, not including wages for starring cast or the director, writer or producers. The credit must be claimed in the taxable year in which the major visual media production is completed.

A major visual media production company must submit a nonrefundable application fee, which is 0.2 percent of the estimated tax credit but may be no less than \$200 and no more than \$5,000. The Department of Economic and Community Development may deny a certificate for a visual media production or a major visual media production for any reason. The department is required to deny a certificate if it would qualify the production for tax credits in excess of the funds appropriated for that purpose.

Many of the provisions of this bill were incorporated in the committee amendment to LD 1004.

**LD 1254    An Act To Implement and Fund an Integrated Beach Management Program** **CARRIED OVER**

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

This bill establishes a funding mechanism for an integrated coastal beach management program. It imposes a \$1 per day fee, effective October 1, 2015, on the rental, between May 1st and October 31st, of living quarters in any hotel, rooming house or tourist or trailer camp, to be deposited into the Beach Management Fund established by the bill to be used to develop coordinated programs for technical assistance to municipalities and homeowners; to provide assistance in the development and implementation of local beach management, preservation and restoration projects; and to reimburse the department for administrative costs. This bill also establishes the Beach Advisory Group to advise the Department of Environmental Protection and report to the Legislature on matters related to the management, preservation and restoration of beaches in the State. This bill directs and provides criteria for the department in coordination with other state agencies to develop and maintain a priority list ranking all beaches within the State based on suitability for beach nourishment, dune restoration, land acquisition or other enhancement techniques and report priority recommendations to the Legislature by January 1, 2016.

This bill was carried over to any special or regular session of the 127th Legislature by joint order, H.P. 992.

**LD 1269    An Act To Restore Some Progressivity and Fairness to the State Income Tax** **ONTP**

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

This bill adds a new marginal income tax rate of ten percent on income tax filers with taxable income in the top two percent of all taxpayers beginning with 2016 tax years. The State Tax Assessor is directed to determine the top taxable income threshold amount establishing the top two percent of taxpayers every three years. Bracket amounts are indexed for inflation in the years in which a new calculation is not made.

See also LD 95 and LD 835.

*Joint Standing Committee on Taxation*

**LD 1287    An Act To Ensure That Tax Expenditures Create High-quality Jobs**

**INDEF PP**

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

This bill sets minimum standards in the level of wages and benefits and health care provided to employees and in scheduling employee shifts and hours for employers who receive the seed capital tax credit, the Pine Tree Zone credit, the new markets capital investment credit and employment tax increment financing. The bill requires the employers to report their employment data to Maine Revenue Services and for Maine Revenue Services to require the employers who are not in full compliance with the minimum standards to remit back to the State a pro rata amount of the tax credit or reimbursement received based upon their level of compliance with the wage, benefits, health care and scheduling requirements.

**Committee Amendment "A" (S-279)**

This amendment, the minority report of the committee, replaces the bill and establishes standards for ensuring that entities receiving the Pine Tree Development Zone tax credit, the seed capital investment tax credit or the new markets capital investment credit must certify that the credit results in high-quality jobs. The amendment requires annual reporting by credit recipients and a reduction in the percentage of the credit the taxpayer receives if not in compliance with the jobs requirements. The Department of Administrative and Financial Services, Maine Revenue Services, the Department of Economic and Community Development and the Finance Authority of Maine are required to evaluate penalties and enforcement procedures and report to the Joint Standing Committee on Taxation by January 15, 2016. The amendment also adds an appropriations and allocations section.

**LD 1299    An Act To Allow Educational Access for Families**

**ONTP**

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

This bill establishes a scholarship granting organization credit to provide a Maine income tax credit to individuals and corporations who donate to scholarship granting organizations beginning in the 2016 tax year. Scholarship granting organizations are defined as organizations that provide educational scholarships, beginning in the 2016-2017 school year, to public or private school students in kindergarten to grade 12 who are from households in which the household incomes are equal to or below 250 percent of the income guidelines used to qualify for federal Department of Health and Human Services programs.

The amount of the credit is the amount of voluntary cash contributions made to a scholarship granting organization, up to a maximum of \$1,000 annually of the tax owed. Scholarship granting organizations that receive such contributions are subject to reporting requirements. The credit is not available for an educational scholarship provided to a student who attends a school that employs a paid staff or board member who is a member or an immediate family member of a member of the scholarship granting organization.

*Joint Standing Committee on Taxation*

**LD 1327      Resolve, Authorizing the State Tax Assessor To Convey the Interest of  
the State in Certain Real Estate in the Unorganized Territory**

**RESOLVE 27**

<u>Sponsor(s)</u>	<u>Committee Report</u>	<u>Amendments Adopted</u>
MCCORMICK CHACE	OTP-AM	S-133

This resolve authorizes the State Tax Assessor to convey the interest of the State in several parcels of real estate in the Unorganized Territory that were acquired by the State for nonpayment of property taxes..

**Committee Amendment "A" (S-133)**

This amendment incorporates a fiscal note.

**Enacted Law Summary**

Resolve 2015, chapter 27 authorizes the State Tax Assessor to convey the interest of the State in several parcels of real estate in the Unorganized Territory that were acquired by the State for nonpayment of property taxes.

**LD 1367      RESOLUTION, Proposing an Amendment to the Constitution of Maine  
To Eliminate the Income Tax**

**Died Between  
Houses**

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

This resolution proposes to amend the Constitution of Maine to prohibit the Legislature, beginning January 1, 2020, from enacting or imposing a tax upon the income of persons in this State and to prohibit the State from levying or collecting such a tax for any period beginning on or after January 1, 2020.

**Committee Amendment "A" (H-324)**

This amendment, the miority report of the committee, incorporates a fiscal note.

**LD 1374      An Act To Expand the Educational Opportunity Tax Credit**

**Died On  
Adjournment**

<u>Sponsor(s)</u>	<u>Committee Report</u>	<u>Amendments Adopted</u>
SAVIELLO	OTP-AM	S-151

This bill allows a graduate of the Maine Maritime Academy who is a resident of Maine but is employed in a position outside of Maine on a vessel at sea to qualify for the educational opportunity tax credit, which is currently available only to residents who are employed by an employer in Maine or who are deployed for military service.

**Committee Amendment "A" (S-151)**

This amendment removes the requirement that the taxpayer be a graduate of the Maine Maritime Academy.

*Joint Standing Committee on Taxation*

**LD 1383     An Act To Attract Young People to Maine by Expanding the Job  
Creation Through Educational Opportunity Program**

**Died On  
Adjournment**

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

This bill makes the following changes to the educational opportunity tax credit for tax years beginning on or after January 1, 2016.

1. It expands eligibility to persons graduating after December, 31, 2015 from non-Maine community colleges, colleges and universities.
2. It expands the credit to cover graduate degrees.
3. It removes the requirement of Maine residency while attending school.
4. It permits coverage of refinanced and consolidated loans.

**Committee Amendment "A" (S-150)**

This amendment makes changes to clarify the intent of the bill and adds an appropriations and allocations section.

**LD 1411     An Act To Amend the Tax Laws**

**PUBLIC 300**

<u>Sponsor(s)</u>	<u>Committee Report</u>	<u>Amendments Adopted</u>
MCCORMICK	OTP-AM	S-241 H-452   SHAW

Part A makes the following changes to the State's tax laws.

1. It requires qualified community development entities to notify the Department of Administrative and Financial Services, Bureau of Revenue Services when a qualified equity investment has been transferred. A transfer of the qualified equity investment affects who is eligible to claim a tax credit under the Maine New Markets Capital Investment Program in the year of the transfer and in any subsequent year.
2. It requires the Finance Authority of Maine to provide the Bureau of Revenue Services with copies of the annual reports currently required of qualified community development entities under the Maine New Markets Capital Investment Program.
3. Currently the Department of Inland Fisheries and Wildlife does not collect sales or use tax upon the registration of a snowmobile or all-terrain vehicle by a person who is not a resident of Maine. This bill repeals that provision of the law.
4. It repeals a provision allowing for the disclosure of benefit information under the Circuitbreaker Program to a representative of a municipality that has adopted a municipal property tax assistance program since no benefits are allowed under the Circuitbreaker Program for claims filed on or after August 1, 2013.

## *Joint Standing Committee on Taxation*

5. It authorizes disclosure to a Pine Tree Development Zone business of otherwise confidential tax information of a contractor or subcontractor that had assigned its claim to the business for sales or use tax reimbursement.
6. It clarifies that the State Tax Assessor may require unemployment compensation returns to be filed electronically. The Bureau of Revenue Services processes these returns and associated payments for the Department of Labor.
7. It repeals an obsolete reference to the Circuitbreaker Program in the property tax abatement law.
8. It strikes an erroneous reference in the property tax abatement law to a provision that mandates that the Commissioner of Agriculture, Conservation and Forestry, and other state officers, must provide the State Tax Assessor with information necessary for the valuing of land in the unorganized territory; the mandate has no relationship to the abatement of Maine property taxes.
9. It repeals definitions of two terms that are no longer used in the sales tax law: "forest land" and "forest products".
10. It clarifies the definition of "manufacturing facility" in the sales tax law.
11. It consolidates and simplifies the list of exclusions from the definition of "sale price" under the sales tax law by repealing references to four separate fees imposed by the State and enacting a general exclusion for any charge or fee imposed by state law.
12. It simplifies the sales tax exemption for coal, oil and wood.
13. It updates language with respect to the sales tax exemption for residential child care facilities so that it is consistent with the terminology employed by the Department of Health and Human Services.
14. It clarifies that the "immediate removal" sales tax exemption with respect to certain vehicles purchased or leased by nonresidents does not apply to any motor vehicle that is being leased on a short-term basis. Under current law, the exemption does not apply to an automobile that is being leased on a short-term basis.
15. It clarifies that the "immediate removal" sales tax exemption does not apply to a camper trailer or truck camper that is being leased on a short-term basis.
16. It clarifies existing language with respect to the partial sales tax exemption for certain watercraft purchased in Maine.
17. It updates language with respect to the sales tax exemption for child care facilities so that it is consistent with the terminology employed by the Department of Health and Human Services.
18. It updates the sales tax exemption for church-affiliated residential homes to delete obsolete language regarding charters granted by the Legislature.
19. It updates the sales tax exemption for food assistance purchases to include supplemental nutrition assistance program purchases and to delete an obsolete reference to food stamps.
20. It deletes obsolete language regarding the effective date of the sales tax exemption for tree seedlings used in commercial forestry.
21. It amends the sales tax imposed on certain casual sales to clarify that the tax does not apply to a sale made to a trust when the seller is the owner of 50 percent or more of the ownership interests in the trust. This change extends to trusts the same treatment extended to corporations, partnerships, limited liability companies and limited liability partnerships under current law.

## *Joint Standing Committee on Taxation*

22. It clarifies the method of calculating the sales tax on the rental or lease of an automobile for one year or more.
23. It removes gender-specific language.
24. It makes a minor change to more equitably expand the sales tax refund provision for certain items withdrawn from inventory for use in another jurisdiction.
25. It repeals an obsolete sales tax refund provision that was in effect only for certain purchases made from April 1, 2008 to September 30, 2008.
26. It clarifies that required quarterly insurance premiums tax payments are estimated payments and not payments made based on quarterly returns. An annual return is required to report the tax liability, and to reconcile estimated tax payments made, for the year.
27. It replaces the term "personal home care" in the service provider tax law with the term "personal care home" to mirror the term used in the rules of the Department of Health and Human Services.
28. It repeals the law governing the sourcing of mobile telecommunications services. Mobile telecommunications services are now sourced for state taxation purposes to the state of primary use, in conformity with the federal Mobile Telecommunications Sourcing Act, Public Law 106-252.
29. It amends the application of revenues provision in the service provider tax in order to add a reference to specify that the tax is imposed on group residential services for persons with brain injuries.
30. It clarifies that a cigarette distributor's license, like all other licenses and certificates issued by the State Tax Assessor, is not a license within the meaning of that term in the Maine Administrative Procedure Act.
31. It clarifies that a tobacco products distributor's license, like all other licenses and certificates issued by the State Tax Assessor, is not a license within the meaning of that term in the Maine Administrative Procedure Act.
32. It clarifies that the Maine net income of a unitary business is determined in the same way that it is for a taxable corporation that is not a member of a unitary business. Maine net income in both cases is calculated on the basis of federal taxable income apportionable to Maine modified by the addition and subtraction modifications provided by Title 36, section 5200-A. The clarification is a technical change and consistent with long-standing administrative procedures and practice.
33. It updates references in the statutory provision governing the subtraction modification that allows an individual who is an owner of an electing S corporation to recapture the bonus depreciation add-backs made by the business in prior years when it was treated as a C corporation for federal and Maine income tax purposes. This change reflects long-standing statutory and administrative practice.
34. It updates references to the statutory provisions governing the pension deduction in order to reflect recent law changes.
35. It clarifies that returns claiming a refundable seed capital credit must be filed the calendar year following the calendar year during which the investment was made.

Part B requires the State Tax Assessor to obtain national criminal history record information from the Federal Bureau of Investigation for any person who provides or is assigned to provide services to the Department of Administrative and Financial Services, Bureau of Revenue Services under a contract or subcontract that the assessor determines involves access or a substantial possibility of access to the bureau's information technology systems or to

## *Joint Standing Committee on Taxation*

confidential taxpayer information. An individual who is assigned to provide services to the bureau pursuant to such a contract must consent to having fingerprints taken for purposes of a background check before the individual may provide such services.

This Part also brings applicants for employment with the bureau's Office of Tax Policy within the existing background check process required under the Maine Revised Statutes, Title 36, section 194-B.

### **Committee Amendment "A" (S-241)**

This amendment adds provisions to the bill to delete certain date-limiting references in the definition of the term "financial aid package" under the income tax credit for educational opportunity laws to conform to ongoing practice in applying a credit-hours proration factor in the tax credit provisions.

The amendment removes a section of the bill that strikes a reference to the former circuitbreaker program because of the continuing relevance of the former program in the administration of the municipal property tax abatement laws.

The amendment removes from the bill proposed changes to the term "personal home care" under the service provider tax and instead strikes those words from the service provider tax laws as they do not describe any service that is not otherwise subject to the tax.

The amendment amends two service provider tax exemptions to make the same changes that the bill made for parallel sales tax exemptions for child care facilities and certain church-affiliated residential homes.

The amendment adds a cross-reference that was inadvertently omitted in language requiring the State Police to take or cause to be taken certain fingerprints.

### **House Amendment "A" To Committee Amendment "A" (H-452)**

This amendment provides a sales and use tax exemption for snowmobiles and all-terrain vehicles purchased by a nonresident individual unless the seller is a retailer in this State.

### **Enacted Law Summary**

Public Law 2015, chapter 300 makes the following changes to the State's tax laws.

1. It requires qualified community development entities to notify the Department of Administrative and Financial Services, Bureau of Revenue Services when a qualified equity investment has been transferred. A transfer of the qualified equity investment affects who is eligible to claim a tax credit under the Maine New Markets Capital Investment Program in the year of the transfer and in any subsequent year.
2. It requires the Finance Authority of Maine to provide the Bureau of Revenue Services with copies of the annual reports currently required of qualified community development entities under the Maine New Markets Capital Investment Program.
3. Currently the Department of Inland Fisheries and Wildlife does not collect sales or use tax upon the registration of a snowmobile or all-terrain vehicle by a person who is not a resident of Maine. This law repeals that provision.
4. It repeals a provision allowing for the disclosure of benefit information under the Circuitbreaker Program to a representative of a municipality that has adopted a municipal property tax assistance program since no benefits are allowed under the Circuitbreaker Program for claims filed on or after August 1, 2013.
5. It authorizes disclosure to a Pine Tree Development Zone business of otherwise confidential tax information of a contractor or subcontractor that had assigned its claim to the business for sales or use tax reimbursement.

## *Joint Standing Committee on Taxation*

6. It clarifies that the State Tax Assessor may require unemployment compensation returns to be filed electronically. The Bureau of Revenue Services processes these returns and associated payments for the Department of Labor.
7. It strikes an erroneous reference in the property tax abatement law to a provision that mandates that the Commissioner of Agriculture, Conservation and Forestry, and other state officers, must provide the State Tax Assessor with information necessary for the valuing of land in the unorganized territory; the mandate has no relationship to the abatement of Maine property taxes.
8. It repeals definitions of two terms that are no longer used in the sales tax law: "forest land" and "forest products."
9. It clarifies the definition of "manufacturing facility" in the sales tax law.
10. It consolidates and simplifies the list of exclusions from the definition of "sale price" under the sales tax law by repealing references to four separate fees imposed by the State and enacting a general exclusion for any charge or fee imposed by state law.
11. It simplifies the sales tax exemption for coal, oil and wood.
12. It updates language with respect to the sales tax exemption for residential child care facilities so that it is consistent with the terminology employed by the Department of Health and Human Services.
13. It clarifies that the "immediate removal" sales tax exemption with respect to certain vehicles purchased or leased by nonresidents does not apply to any motor vehicle that is being leased on a short-term basis. Under current law, the exemption does not apply to an automobile that is being leased on a short-term basis.
14. It clarifies that the "immediate removal" sales tax exemption does not apply to a camper trailer or truck camper that is being leased on a short-term basis.
15. It clarifies existing language with respect to the partial sales tax exemption for certain watercraft purchased in Maine.
16. It updates language with respect to the sales tax exemption and service provider tax exemption for child care facilities so that it is consistent with the terminology employed by the Department of Health and Human Services.
17. It updates the sales tax exemption and the service provider tax exemption for church-affiliated residential homes to delete obsolete language regarding charters granted by the Legislature.
18. It updates the sales tax exemption for food assistance purchases to include supplemental nutrition assistance program purchases and to delete an obsolete reference to food stamps.
19. It deletes obsolete language regarding the effective date of the sales tax exemption for tree seedlings used in commercial forestry.
20. It amends the sales tax imposed on certain casual sales to clarify that the tax does not apply to a sale made to a trust when the seller is the owner of 50 percent or more of the ownership interests in the trust. This change extends to trusts the same treatment extended to corporations, partnerships, limited liability companies and limited liability partnerships under current law.
21. It clarifies the method of calculating the sales tax on the rental or lease of an automobile for one year or more.
22. It removes gender-specific language.

## *Joint Standing Committee on Taxation*

23. It makes a minor change to more equitably expand the sales tax refund provision for certain items withdrawn from inventory for use in another jurisdiction.
24. It repeals an obsolete sales tax refund provision that was in effect only for certain purchases made from April 1, 2008 to September 30, 2008.
25. It clarifies that required quarterly insurance premiums tax payments are estimated payments and not payments made based on quarterly returns. An annual return is required to report the tax liability, and to reconcile estimated tax payments made, for the year.
26. It removes the term "personal home care" in the service provider tax law because the term does not describe any service that is not otherwise subject to the tax.
27. It repeals the law governing the sourcing of mobile telecommunications services. Mobile telecommunications services are now sourced for state taxation purposes to the state of primary use, in conformity with the federal Mobile Telecommunications Sourcing Act, Public Law 106-252.
28. It amends the application of revenues provision in the service provider tax in order to add a reference to specify that the tax is imposed on group residential services for persons with brain injuries.
29. It clarifies that a cigarette distributor's license, like all other licenses and certificates issued by the State Tax Assessor, is not a license within the meaning of that term in the Maine Administrative Procedure Act.
30. It clarifies that a tobacco products distributor's license, like all other licenses and certificates issued by the State Tax Assessor, is not a license within the meaning of that term in the Maine Administrative Procedure Act.
31. It clarifies that the Maine net income of a unitary business is determined in the same way that it is for a taxable corporation that is not a member of a unitary business. Maine net income in both cases is calculated on the basis of federal taxable income apportionable to Maine modified by the addition and subtraction modifications provided by Title 36, section 5200-A. The clarification is a technical change and consistent with long-standing administrative procedures and practice.
32. It updates references in the statutory provision governing the subtraction modification that allows an individual who is an owner of an electing S corporation to recapture the bonus depreciation add-backs made by the business in prior years when it was treated as a C corporation for federal and Maine income tax purposes. This change reflects long-standing statutory and administrative practice.
33. It updates references to the statutory provisions governing the pension deduction in order to reflect recent law changes.
34. It clarifies that returns claiming a refundable seed capital credit must be filed the calendar year following the calendar year during which the investment was made.
35. It requires the State Tax Assessor to obtain national criminal history record information from the Federal Bureau of Investigation for any person who provides or is assigned to provide services to the Department of Administrative and Financial Services, Bureau of Revenue Services under a contract or subcontract that the assessor determines involves access or a substantial possibility of access to the bureau's information technology systems or to confidential taxpayer information. An individual who is assigned to provide services to the bureau pursuant to such a contract must consent to having fingerprints taken for purposes of a background check before the individual may provide such services.
36. It brings applicants for employment with the bureau's Office of Tax Policy within the existing background check process required under the Maine Revised Statutes, Title 36, section 194-B.

*Joint Standing Committee on Taxation*

**LD 1421    An Act To Establish a Tax-free Savings Program for Individuals with Disabilities**

**CARRIED OVER**

Sponsor(s)

Committee Report

Amendments Adopted

POULIOT  
LIBBY

This bill establishes the ABLE ME Savings Program, based on the federal Achieving a Better Life Experience Act of 2014, to allow individuals with disabilities who are residents of Maine or their families to establish tax exempt savings accounts to be used for qualified disability expenses. The program is administered by the Treasurer of State in compliance with the federal Act. The Treasurer of State is authorized to contract with financial organizations to serve as depositories or managers of the program and to establish fees to cover administrative costs.

The program is open to an individual who is blind or disabled and whose blindness or disability occurred before the date on which the individual attained 26 years of age and to an individual who filed a disability certification to the satisfaction of the Secretary of the Treasury of the United States. Qualified disability expenses are defined in federal law and include expenses on behalf of a qualified individual for education, housing, transportation, employment training and support, assistive technology and personal support services and legal fees.

This bill was carried over to any special or regular session of the 127th Legislature by joint order, H.P. 992.

# *Joint Standing Committee on Taxation*

## SUBJECT INDEX

### *Administration of Tax Laws*

#### Enacted

LD 1411 An Act To Amend the Tax Laws PUBLIC 300

### *Estate Tax*

#### Not Enacted

LD 501 An Act To Amend the Estate Tax Laws ONTP

### *Fuel Tax*

#### Enacted

LD 238 An Act To Extend the Period of Time for Persons Who Purchase Special Fuel and Gasoline for Off-highway Use To Apply for the Special Fuel and Gasoline Tax Refunds PUBLIC 9 EMERGENCY

#### Not Enacted

LD 26 An Act To Simplify the Process for Fuel Tax Rebates ONTP

LD 315 An Act To Provide a Refund of Fuel Taxes to Maine Ambulance Companies ONTP

### *Income Tax - General*

#### Not Enacted

LD 27 An Act To Exempt Persons 67 Years of Age and Older from the State Income Tax ONTP

LD 95 An Act To Provide Income Tax Relief ONTP

LD 341 An Act To Prevent Tax Haven Abuse Died Between Houses

LD 409 An Act To Lower the Individual Income Tax Incrementally to Zero Majority (ONTP) Report

LD 835 An Act To Amend the Individual Income Tax Laws ONTP

LD 1146 An Act To Increase Investment in Maine Died Between Houses

LD 1269 An Act To Restore Some Progressivity and Fairness to the State Income Tax ONTP

LD 1367 RESOLUTION, Proposing an Amendment to the Constitution of Maine To Eliminate the Income Tax Died Between Houses

## *Income Tax Credits, Exemptions, Deductions and Incentives*

### Enacted

LD 740	An Act To Sustain Maine's Primary Care Professional Workforce	PUBLIC 108
LD 787	An Act To Provide Tax Credits for Adult Day Care and Respite and Hospice Care	PUBLIC 340

### Not Enacted

LD 76	An Act To Amend the Property Tax Fairness Credit	Died Between Houses
LD 96	An Act To Increase the State Earned Income Credit	INDEF PP
LD 120	An Act To Provide a Tax Credit to Maine Residents for Turnpike Tolls	Majority (ONTP) Report
LD 280	An Act To Exempt Military Pensions and Survivor Benefits from Maine Income Tax	Died On Adjournment
LD 365	An Act To Provide a Tax Reduction for Modifications To Make a Home More Accessible for a Person with a Disability	CARRIED OVER
LD 367	An Act To Protect the Income of Service Workers	ONTP
LD 498	An Act To Restore the Super Credit for Substantially Increased Research and Development	CARRIED OVER
LD 625	An Act To Increase the Tax Exemption for Pensions	ONTP
LD 648	An Act To Increase the Earned Income Tax Credit for Maine Residents	ONTP
LD 760	An Act To Increase the Deduction for Pension Income	ONTP
LD 867	An Act To Provide Tax Fairness and To Lower Medical Expenses for Patients under the Maine Medical Use of Marijuana Act	CARRIED OVER
LD 898	An Act To Reduce Student Loan Debt through an Expansion of the Educational Opportunity Tax Credit	CARRIED OVER
LD 922	An Act To Provide an Income Tax Exemption for Pension or Retirement Plans for Veterans Who Are Totally Disabled	ONTP
LD 930	An Act To Attract Young Families to Maine and Keep Young Families in Maine by Expanding the Child Care Tax Credit	Majority (ONTP) Report
LD 963	An Act To Strengthen the Benefits of the State Earned Income Tax Credit for Childless Workers	ONTP
LD 1001	An Act To Enact a New Hire Tax Credit and To Create Initiatives To Help Families Move from Assistance to Employment	ONTP
LD 1004	An Act To Provide Incentives To Foster Economic Growth and Build Infrastructure in the State by Encouraging Visual Media Production	CARRIED OVER
LD 1070	An Act To Retain More Retirees in Maine	ONTP

LD 1095	An Act To Enhance the Property Tax Fairness Credit for Maine's Low-income Seniors and Other Low-income Residents	Died Between Houses
LD 1142	An Act Regarding the Taxation of Out-of-state Pensions	CARRIED OVER
LD 1164	An Act To Promote Tourism and Foster Economic Development	ONTP
LD 1287	An Act To Ensure That Tax Expenditures Create High-quality Jobs	INDEF PP
LD 1299	An Act To Allow Educational Access for Families	ONTP
LD 1374	An Act To Expand the Educational Opportunity Tax Credit	Died On Adjournment
LD 1383	An Act To Attract Young People to Maine by Expanding the Job Creation Through Educational Opportunity Program	Died On Adjournment
LD 1421	An Act To Establish a Tax-free Savings Program for Individuals with Disabilities	CARRIED OVER

### **Motor Vehicle Excise Tax**

#### **Enacted**

LD 444	An Act To Allow a Motor Vehicle Excise Tax Credit for a Vehicle No Longer in Use	PUBLIC 87
LD 514	An Act To Amend the Laws Governing the Location of Motor Vehicle Excise Tax Collection for Motor Vehicles Owned by Public Utilities	PUBLIC 98

#### **Not Enacted**

LD 48	An Act To Reduce Registration Fees and Excise Taxes for For-hire Vehicles with Adaptive Equipment Enabling Access by Persons with Disabilities	Veto Sustained
LD 49	An Act To Exempt from Excise Tax Certain Vehicles Used by Persons with a Disability	CARRIED OVER
LD 94	An Act To Base the Excise Tax Imposed on the Purchase of a Motor Vehicle on the Price Paid	Died Between Houses
LD 614	An Act Regarding the Excise Tax Levied on Used Motor Vehicles	ONTP

### **Municipal Revenue Sharing**

#### **Not Enacted**

LD 899	An Act To Ensure a Stable Percentage of Revenue Sharing for Municipalities	ONTP
LD 910	An Act To Fully Fund Municipal Revenue Sharing	ONTP
LD 980	An Act To Restore Revenue Sharing	Died Between Houses
LD 1060	An Act To Strengthen Revenue Sharing	ONTP

## *Other Taxes*

### Not Enacted

LD 29	An Act To Establish a Local Option Real Estate Transfer Tax	ONTP
LD 169	An Act To Amend the Laws Governing Groundwater Rights	ONTP
LD 502	An Act To Repeal the Service Provider Tax on Private Nonmedical Institutions and To Offset That Revenue Loss	ONTP
LD 644	An Act To Exempt Annuity Considerations from Tax	Died Between Houses
LD 819	An Act Regarding the Taxation of Kombucha	Veto Sustained
LD 973	An Act To Ensure That Nicotine Products Are Taxed Equally	CARRIED OVER
LD 1254	An Act To Implement and Fund an Integrated Beach Management Program	CARRIED OVER

## *Property Tax - Current Use*

### Not Enacted

LD 191	An Act To Require the Transfer of a Forest Management and Harvest Plan upon the Transfer of Land in the Tree Growth Tax Program	ONTP
LD 499	An Act To Create Jobs in the Forest Products Industry	ONTP

## *Property Tax - Exemptions*

### Enacted

LD 170	An Act To Remove the 180-day Active Duty Requirement for the Property Tax Exemption for Vietnam Veterans	PUBLIC 353
--------	--	------------

### Not Enacted

LD 565	An Act To Authorize Municipalities To Impose Service Charges on Tax-exempt Property Owned by Certain Nonprofit Organizations	ONTP
LD 1007	Resolve, To Study the Tax Exemption Provided to Nonprofit Entities	ONTP
LD 1148	An Act To Implement a Local Ballot Referendum for Municipalities To Disallow Tax-exempt Status to Large Land Trusts	ONTP

## *Property Tax - General*

### Enacted

LD 118	An Act To Authorize Municipalities To Refund Amounts Collected in Excess of Tax Liens	PUBLIC 53 EMERGENCY
LD 500	Resolve, To Create a Working Group To Develop Solutions To Meet the Needs for Municipal Volunteer Personnel	RESOLVE 49

### Not Enacted

LD 64	An Act To Reduce the Time within Which a Challenge to a Tax Lien Foreclosure May Be Filed	Veto Sustained
-------	---	----------------

LD 786	An Act To Help Property Tax Payers	ONTP
LD 965	RESOLUTION, Proposing an Amendment to the Constitution of Maine To Permit the Freezing of Property Taxes on the Homes of Maine Residents Who Are 65 Years of Age or Older	ONTP
LD 1055	An Act To Allow a Municipality To Abate Taxes Assessed on Property That Is Destroyed	ONTP
LD 1159	An Act To Modify the Property Tax Abatement Laws	ONTP

### **Property Tax - Valuation**

#### **Enacted**

LD 550	An Act To Improve the Process for Obtaining an Adjustment in State Valuation Due to Sudden and Severe Reduction in Municipal Valuation	PUBLIC 236 EMERGENCY
--------	--	-------------------------

#### **Not Enacted**

LD 281	Resolve, To Modify the State Valuation of the Towns of Madison, Skowhegan, East Millinocket and Jay To Reflect the Loss of Valuation of Major Taxpayers in Those Towns	CARRIED OVER
LD 282	An Act To Modify the State Valuation of the Town of Madison To Reflect the Loss in Valuation of the Madison Paper Company, To Modify the State Valuation of the Town of Skowhegan To Reflect the Loss in Valuation of the S.D. Warren Company and To Amend the Law Governing School Subsidy Distribution in the Circumstance of Sudden Loss in Municipal Valuation	ONTP
LD 900	An Act To Make Public Certain Tax Information Related to Municipal Valuation	ONTP

### **Property Tax Relief Programs**

#### **Enacted**

LD 279	An Act Regarding Payment under the Business Equipment Tax Reimbursement Program	PUBLIC 239
--------	---	------------

#### **Not Enacted**

LD 183	An Act To Decrease Property Taxes by Increasing the Sales Tax	ONTP
LD 541	An Act To Promote Sustainability in Home Ownership for First-time Home Buyers	ONTP
LD 542	An Act To Reduce Property Taxes	ONTP
LD 575	An Act To Provide Property Tax Relief to Maine's Working Families	ONTP
LD 1126	An Act To Provide Property Tax Deferral for Senior Citizens and People with Disabilities	ONTP

### **Sales Tax**

#### **Not Enacted**

LD 503	An Act To Provide Local Sales Tax Increment Disbursements	Majority (ONTP)
--------	---	-----------------

LD 594	An Act To Allow the Creation of a Local Option Sales Tax by Referendum	Report Majority (ONTP) Report
LD 718	An Act To Avoid Loss of Revenue to the State	ONTP
LD 759	An Act To Establish a Sales Tax Holiday	ONTP
LD 932	An Act To Designate a Sales Tax Holiday	ONTP

**Sales Tax Exemptions, Exclusions or Refunds**

**Enacted**

LD 590	An Act To Exempt a Fee for a Paper or Plastic Single-use Carry-out Bag from Tax	PUBLIC 150 EMERGENCY
--------	---	-------------------------

**Not Enacted**

LD 11	An Act To Exempt the Sale of the United States Flag from the Sales Tax	Died On Adjournment
LD 13	An Act To Provide an Exemption from Sales Tax and Service Provider Tax to Nonprofit Collaboratives of Libraries	Veto Sustained
LD 30	An Act To Exempt Fuel Used by Commercial Farmers from Sales Tax	ONTP
LD 79	An Act To Provide a Sales Tax Trade-in Credit for Core Parts	ONTP
LD 168	An Act Relating to the Sales Tax Exemption on Depreciable Equipment Used in Commercial Wood Harvesting	ONTP
LD 208	An Act To Provide Funding for Maintaining Cemeteries within the Maine Veterans' Memorial Cemetery System	ONTP
LD 226	An Act To Promote Efficiency in Food Pantry Operation	ONTP
LD 278	An Act To Encourage the Use of Fuel-efficient Vehicles	ONTP
LD 290	An Act To Refund the Sales Tax Paid on Fuel Used in Commercial Agricultural Production and Commercial Wood Harvesting	Died On Adjournment
LD 322	An Act To Enhance the Creative Economy by Providing a Sales Tax Exemption to Incorporated Nonprofit Performing Arts Organizations	Majority (ONTP) Report
LD 332	An Act To Exempt from Sales Tax Sales to Certain Nonprofit Corporations That Provide Home Rehabilitation and Modification Services to Low-income Individuals	ONTP
LD 432	An Act To Exempt Fuel Purchased for Off-road Use in Commercial Construction and Wood Harvesting Equipment from Sales and Use Tax	ONTP
LD 497	An Act To Provide a Sales Tax Rebate for Certain Organizations Providing Services to Disabled Veterans	ONTP
LD 592	An Act To Extend to Certain Fruit and Vegetable Growers the Sales Tax Exemption for Fuel	Died On Adjournment

LD 689	An Act To Support Maine's Tourism Marketing Promotion Program by Eliminating the Sales Tax Exemption for Casual Rentals for Fewer Than 15 Days a Year	Majority (ONTP) Report
LD 836	An Act To Exempt the American Legion and Veterans of Foreign Wars from the Sales Tax	ONTP
LD 859	An Act To Improve Camping Opportunities in Maine	ONTP
LD 1000	An Act To Define Prosthetic and Orthotic Devices for Purposes of the Sales Tax Law	CARRIED OVER

### **Tax Expenditure Review**

#### **Enacted**

LD 941	An Act To Improve Tax Expenditure Transparency and Accountability	PUBLIC 344
--------	---	------------

#### **Not Enacted**

LD 769	An Act To Reduce Tax Expenditures	ONTP
LD 934	An Act To Create Transparency in Maine's Economic Development Spending	ONTP

### **Tax Increment Financing**

#### **Not Enacted**

LD 116	An Act To Expand the Use of Tax Increment Financing Revenue	ONTP
LD 519	An Act To Allow Telecommunications Infrastructure Investment in Development Districts for Municipalities and Plantations	ONTP
LD 581	An Act To Clarify the Municipal Development District Law	ONTP
LD 646	An Act To Provide Incentives for Municipal Cooperation and Shared Services	CARRIED OVER
LD 871	An Act To Provide for Cooperation between Municipalities with Tax Increment Financing Districts	ONTP

### **Tax Reform - Tax and Spending**

#### **Not Enacted**

LD 1072	An Act To Encourage Maine's Economic Competitiveness	ONTP
---------	--	------

### **Unorganized Territory**

#### **Enacted**

LD 967	An Act To Establish Municipal Cost Components for Unorganized Territory Services To Be Rendered in Fiscal Year 2015-16	PUBLIC 197 EMERGENCY
LD 1327	Resolve, Authorizing the State Tax Assessor To Convey the Interest of the State in Certain Real Estate in the Unorganized Territory	RESOLVE 27



STATE OF MAINE  
127<sup>TH</sup> LEGISLATURE  
FIRST REGULAR SESSION



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

**JOINT STANDING COMMITTEE ON TRANSPORTATION**

August 2015

**STAFF:**

KAREN NADEAU-DRILLEN, LEGISLATIVE ANALYST  
OFFICE OF POLICY AND LEGAL ANALYSIS  
13 STATE HOUSE STATION  
AUGUSTA, ME 04333  
(207) 287-1670  
AND  
SUZANNE VOYNIK, LEGISLATIVE ANALYST  
OFFICE OF FISCAL AND PROGRAM REVIEW  
5 STATE HOUSE STATION  
AUGUSTA, ME 04333  
(207) 287-1635

**MEMBERS:**

SEN. ROLAND F. COLLINS, CHAIR  
SEN. KIMBERLEY C. ROSEN  
SEN. G. WILLIAM DIAMOND  
  
REP. ANDREW J. MCLEAN, CHAIR  
REP. GEORGE W. HOGAN  
REP. CHRISTINE B. POWERS  
REP. ARTHUR C. VEROW  
REP. MARK E. BRYANT  
REP. JARED F. GOLDEN  
REP. WAYNE R. PARRY  
REP. JAMES S. GILLWAY  
REP. BRADLEE THOMAS FARRIN  
REP. BRIAN D. HOBART



*Joint Standing Committee on Transportation*

This bill clarifies that vehicles propelled or drawn by a horse and operated at night must have a rear reflector.

**LD 32      An Act To Amend the Laws Regarding Signs on Interstate Highways in      ONTP**  
**Maine**

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

This bill allows for directional signs on interstate highways in Maine for a destination that is within 10 miles of the highway if the destination is cultural or historic and had a sign on those roads prior to August 1, 2014.

**LD 34      An Act To Address Suspension of an Operator's License for Negligent      Accepted Majority**  
**Operation Causing the Death of Another Person      (ONTP) Report**

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

Under current law, the Secretary of State is required to suspend, without preliminary hearing, a person's license to drive for a period of at least three years if the Secretary of State finds that person to have recklessly or negligently operated a motor vehicle so as to cause the death of another person. This bill reduces the mandatory minimum administrative license suspension from three years to 90 days, creates a maximum administrative license suspension period of four years, and removes reference to reckless operation as unnecessary since a suspension is determined by the Secretary of State's application of the lesser civil standard of negligent operation.

**LD 37      An Act Regarding Emergency Lights on a Vehicle Used by a Member of      PUBLIC 31**  
**a Municipal or Volunteer Fire or Emergency Medical Services**  
**Department**

<u>Sponsor(s)</u>	<u>Committee Report</u>	<u>Amendments Adopted</u>
EVANGELOS	OTP-AM	H-29

This bill increases the number of emergency lights allowed on personal vehicles used by firefighters and emergency medical service personnel.

**Committee Amendment "A" (H-29)**

This amendment allows one red auxiliary emergency light to be mounted on the rear of personal vehicles used by firefighters and emergency medical service personnel. It removes from the bill permission for firefighters and emergency service personnel to use amber auxiliary lights on personal vehicles.

**Enacted Law Summary**

Public Law 2015, chapter 31 allows one red auxiliary emergency light to be mounted on the rear of personal vehicles used by firefighters and emergency medical service personnel.

*Joint Standing Committee on Transportation*

**LD 41      An Act To Require the Inspection of Certain Vehicles Used To Transport Members of the General Public      ONTP**

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

This bill requires that a motor vehicle not otherwise subject to inspection be inspected for working lights and brakes within one year before transporting a member of the general public. Prior to transporting a member of the general public in the vehicle, the owner of the vehicle must certify by affidavit that the inspection requirements have been met. The owner is subject to a fine of up to \$500 for executing a false affidavit or otherwise violating the inspection requirements.

See LD 1057 under the Criminal Justice and Public Safety Committee.

**LD 47      Resolve, Directing the Department of Transportation To Remove One of the Proposed Routes from Consideration for the Interstate 395 and Route 9 Connector      Accepted Majority (ONTP) Report**

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

This resolve directs the Department of Transportation to remove the alternative route identified as Alternative 2B-2 in the department's I-395/Route 9 transportation study from consideration as an alternative connecting route between Interstate 395 and Route 9.

**Committee Amendment "A" (H-4)**

This amendment incorporates a fiscal note.

**LD 50      An Act To Authorize up to 2 Free Sets of License Plates for 100 Percent Disabled Veterans      Died On Adjournment**

<u>Sponsor(s)</u>	<u>Committee Report</u>	<u>Amendments Adopted</u>
POULIOT DAVIS	OTP-AM	H-6

This bill provides that a 100 percent disabled veteran may receive, at no fee, a registration certificate and set of special designating plates for each of up to three vehicles. The bill also provides that the Secretary of State may issue the plates to a person who qualifies as a 100 percent disabled veteran and is the primary driver of each vehicle.

**Committee Amendment "A" (H-6)**

Current law provides that a 100 percent disabled veteran may receive, at no fee, a registration certificate and set of special designating plates for one vehicle. This amendment provides that a 100 percent disabled veteran may receive, at no fee, a registration certificate and set of special designating plates for each of up to two vehicles rather than three vehicles as proposed in the bill.

*Joint Standing Committee on Transportation*

**LD 55      Resolve, To Direct the Department of Transportation To Name the Interstate 95 Rest Area in Hampden the Joshua Lawrence Chamberlain Rest Area      RESOLVE 3**

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

This resolve directs the Department of Transportation to designate the rest area in Hampden on Interstate 95 North at mile marker 176 the Joshua Lawrence Chamberlain Rest Area.

**Enacted Law Summary**

Resolve 2015, chapter 3 directs the Department of Transportation to designate the rest area in Hampden on Interstate 95 north at mile marker 176 the Joshua Lawrence Chamberlain Rest Area.

**LD 66      Resolve, Naming the Bridges That Span the Machias River in Machias the Jeremiah O'Brien Memorial Bridges      RESOLVE 4**

<u>Sponsor(s)</u>	<u>Committee Report</u>	<u>Amendments Adopted</u>
TUELL BURNS	OTP-AM	H-3

This resolve names the three bridges that span the Machias River in the Town of Machias as the Jeremiah O'Brien Memorial Bridge, after the Revolutionary War naval hero.

**Committee Amendment "A" (H-3)**

This amendment makes a technical correction to the resolve.

**Enacted Law Summary**

Resolve 2015, chapter 4 names the three bridges that span the Machias River in the Town of Machias as the Jeremiah O'Brien Memorial Bridges, after the Revolutionary War naval hero.

**LD 73      An Act To Increase Weight Allowances for Farm Trucks      ONTP**

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

This bill raises the maximum allowable weight for farm trucks to 100,000 pounds.

**LD 78      An Act Regarding Limitations on Certain Storm Water Fees      PUBLIC 310**

<u>Sponsor(s)</u>	<u>Committee Report</u>	<u>Amendments Adopted</u>
LIBBY LAJOIE	OTP-AM	S-4

**Joint Standing Committee on Transportation**

This bill repeals a provision of law exempting the Department of Transportation and the Maine Turnpike Authority from any fees or taxes imposed pursuant to municipal storm water ordinances in effect on January 1, 2007.

**Committee Amendment "A" (S-4)**

This amendment provides that a transportation system under the jurisdiction of the Department of Transportation or the Maine Turnpike Authority is not subject to any fee or tax imposed pursuant to a municipal storm water ordinance. The amendment provides that a transportation system includes, but is not limited to, a roadway; bridge; bike path, sidewalk or weighing station adjacent to a roadway or bridge; railroad line; pier; port; airport; trail; and adjunct facility to move persons or goods. The amendment also provides that a transportation system does not include an office building, commercial property, maintenance facility or park-and-ride lot.

**Enacted Law Summary**

Public Law 2015, chapter 310 provides that a transportation system under the jurisdiction of the Department of Transportation or the Maine Turnpike Authority is not subject to any fee or tax imposed pursuant to a municipal storm water ordinance. A transportation system includes, but is not limited to, a roadway; bridge; bike path, sidewalk or weighing station adjacent to a roadway or bridge; railroad line; pier; port; airport; trail; and adjunct facility to move persons or goods. A transportation system does not include an office building, commercial property, maintenance facility or park-and-ride lot.

**LD 112      An Act To Eliminate the Requirement That Adults Wear Seat Belts      ONTP**

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

This bill repeals the requirement that adults over 17 years of age wear seat belts when operating or riding in a motor vehicle.

**LD 115      Resolve, To Name Interstate 295 from Scarborough to West Gardiner      RESOLVE 8**  
**the Richard A. Coleman Highway**

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

This resolve directs the Department of Transportation to designate Interstate 295 from the tollbooth in the Town of Scarborough to the tollbooth in the Town of West Gardiner as the Richard A. Coleman Highway.

**Enacted Law Summary**

Resolve 2015, chapter 8 directs the Department of Transportation to designate Interstate 295 from the tollbooth in the Town of Scarborough to the tollbooth in the Town of West Gardiner as the Richard A. Coleman Highway.

**LD 143      Resolve, Regarding Legislative Review of Portions of Chapter 4: Maine      RESOLVE 11**  
**Motor Carrier Safety Regulation, a Major Substantive Rule of the      EMERGENCY**  
**Department of Public Safety, Bureau of State Police**

<u>Sponsor(s)</u>	<u>Committee Report</u>	<u>Amendments Adopted</u>
	OTP-AM	H-42

*Joint Standing Committee on Transportation*

This resolve provides for legislative review of portions of Chapter 4: Maine Motor Carrier Safety Regulation, a major substantive rule of the Department of Public Safety, Bureau of State Police.

**Committee Amendment "A" (H-42)**

This amendment requires the Department of Public Safety, Bureau of State Police to make an additional change to Chapter 4: Maine Motor Carrier Safety Regulation, a major substantive rule of the bureau, before final adoption is authorized. It requires the bureau to change the lower limit of a gross vehicle weight rating from 10,000 pounds to 10,001 pounds.

**Enacted Law Summary**

Resolve 2015, chapter 11 requires the Department of Public Safety, Bureau of State Police to make an additional change to Chapter 4: Maine Motor Carrier Safety Regulation, a major substantive rule of the bureau, before final adoption is authorized. It requires the bureau to change the lower limit of a gross vehicle weight rating from 10,000 pounds to 10,001 pounds.

Resolve 2015, chapter 11 was finally passed as an emergency measure effective April 29, 2015.

**LD 171      An Act To Provide a License Plate Decal for Emergency Medical Services Providers      ONTP**

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

This bill allows the Secretary of State to issue identifying special license plate decals to be displayed on the registration plates of licensed emergency medical services providers. Half of the annual fee for the decals goes to a Maine emergency medical services memorial and education center.

**LD 172      An Act To Allow Gold Star Parents Who Are Maine Residents To Use the Maine Turnpike at No Charge      ONTP**

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

This bill requires the Maine Turnpike Authority to waive tolls on the Maine Turnpike for a person who is a Maine resident and who is a parent eligible to receive a gold star lapel button under 10 United States Code, Section 1126 (2010).

**LD 173      An Act To Amend the Laws Governing the Gold Star Family Registration Plate      PUBLIC 17**

<u>Sponsor(s)</u>	<u>Committee Report</u>	<u>Amendments Adopted</u>
FOLEY COLLINS	OTP-AM	H-8

This bill provides for issuance of gold star family vanity registration plates. It also establishes registration plates for family members of a person who died while honorably serving as an active member of the United States Armed Forces who do not fit the gold star lapel button guidelines established in 10 United States Code, Section 1126 (2010).

*Joint Standing Committee on Transportation*

**Committee Amendment "A" (H-8)**

This amendment provides for issuance of gold star family registration plates for family members, including grandparents, of a person who died while honorably serving as an active member of the United States Armed Forces who do not fit the gold star lapel button guidelines established in 10 United States Code, Section 1126 (2010) rather than establishing a new honorable service military family registration plate as proposed by the bill. The amendment also provides that the issuance of gold star family registration plates for those newly eligible is contingent upon the Department of the Secretary of State receiving donations from any public or private source to cover the cost of the registration plates. The amendment retains the provision of the bill providing for the issuance of gold star family vanity registration plates.

**Enacted Law Summary**

Public Law 2015, chapter 17 provides for issuance of gold star family registration plates for family members, including grandparents, of a person who died while honorably serving as an active member of the United States Armed Forces who do not fit the gold star lapel button guidelines established in 10 United States Code, Section 1126 (2010). The law provides that the issuance of gold star family registration plates for those newly eligible is contingent upon the Department of the Secretary of State receiving donations from any public or private source to cover the cost of the registration plates. The law also provides for the issuance of gold star family vanity registration plates.

**LD 185      An Act To Prohibit the Use of a Mobile Telephone When Operating a Motor Vehicle Except in Hands-free Mode**

**Died Between Houses**

Sponsor(s)

KATZ  
DION

Committee Report

ONTP  
OTP-AM

Amendments Adopted

This bill prohibits the use of a handheld mobile telephone while operating a motor vehicle. The bill clarifies that law enforcement officers, corrections officers, firefighters, drivers of authorized emergency vehicles, holders of commercial driver's licenses, physicians, municipal public works personnel, Maine Turnpike Authority personnel and state transportation personnel, including all employees and contractors of the Department of Transportation, may use handheld mobile telephones while driving within the scope of their employment. The bill makes the offense a traffic infraction. This bill does not affect the current prohibition against text messaging while operating a motor vehicle.

**Committee Amendment "A" (S-13)**

This amendment, which is the minority report of the committee, replaces the bill. It prohibits a person 18 years of age or older from using a mobile telephone or handheld electronic device while operating a motor vehicle unless the mobile telephone or handheld electronic device allows for hands-free operation and the hands-free feature of the mobile telephone or electronic handheld device is in fact being used by the person or the mobile telephone or handheld electronic device is being used in order to communicate with law enforcement or emergency services personnel under emergency circumstances.

The amendment does not affect the current prohibition against the use of a mobile telephone or handheld electronic device, both handheld and hands-free, for a person who has been issued an intermediate driver's license or for a person under 18 years of age.

The amendment establishes penalties for a violation of using a mobile telephone or handheld electronic device while operating a motor vehicle similar to the penalties for a violation of text messaging while operating a motor vehicle. The penalty for a first offense of the prohibition against using a mobile telephone or handheld electronic

*Joint Standing Committee on Transportation*

device while operating a motor vehicle is \$250. The penalty for a second or subsequent offense within a three-year period of the prohibition against using a mobile telephone or handheld electronic device while operating a motor vehicle is \$500. The amendment also directs the Secretary of State to suspend the license of a person who has been previously adjudicated for a violation of the prohibition against using a mobile telephone or handheld electronic device while operating a motor vehicle.

The amendment also makes changes to the penalties for a violation of text messaging while operating a motor vehicle by providing that the current lower limit on the fine, \$250 for a first offense or \$500 for a second or subsequent offense within a three-year period, is the specific fine that must be adjudged.

**LD 196 An Act To Ensure the Safety of Public Service Vehicles**

**PUBLIC 32**

<u>Sponsor(s)</u>	<u>Committee Report</u>	<u>Amendments Adopted</u>
ROSEN DION	OTP-AM	S-12

This bill adds public utility emergency service vehicles to the list of stationary vehicles for which a motorist must move to a nonadjacent lane, if possible, or slow down.

**Committee Amendment "A" (S-12)**

This amendment, which strikes and replaces the bill, adds public service vehicles to the list of stationary vehicles for which a motorist must move to a nonadjacent lane, if possible, or slow down.

The amendment defines a "public service vehicle" as a vehicle used to assist members of the public or law enforcement officers with disabled vehicles or to remove debris from a roadway, or as a vehicle used to construct, maintain, inspect or repair utility infrastructure, including, but not limited to, electricity, water, sewer, cable, telephone, gas and natural gas infrastructure. "Public service vehicle" includes a wrecker. It also provides that a public service vehicle may be equipped with auxiliary lights that emit an amber light and may be equipped with a spotlight.

**Enacted Law Summary**

Public Law 2015, chapter 32 adds public service vehicles to the list of stationary vehicles for which a motorist must move to a nonadjacent lane, if possible, or slow down.

The law defines a "public service vehicle" as a vehicle used to assist members of the public or law enforcement officers with disabled vehicles or to remove debris from a roadway, or as a vehicle used to construct, maintain, inspect or repair utility infrastructure, including, but not limited to, electricity, water, sewer, cable, telephone, gas and natural gas infrastructure. It also provides that a public service vehicle may be equipped with auxiliary lights that emit an amber light and may be equipped with a spotlight.

See also LDs 345 and 371.

**LD 198 An Act To Amend the Laws Regarding Noncommercial Foreign Vessels**

**PUBLIC 14**

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

*Joint Standing Committee on Transportation*

This bill changes the exemption that under current law allows noncommercial foreign vessels of under 200 feet in length to navigate in ports without a pilot to apply to vessels of under 253 feet.

**Enacted Law Summary**

Public Law 2015, chapter 14 allows noncommercial foreign vessels of under 253 feet in length to navigate in ports without a pilot.

**LD 214      An Act To Stay Certain Suspensions Imposed by the Secretary of State      PUBLIC 13**  
**Pending Appeal**

<u>Sponsor(s)</u>	<u>Committee Report</u>	<u>Amendments Adopted</u>
COLLINS PARRY	OTP-AM	S-5

This bill clarifies that a suspension of a person's driver's license by the Secretary of State based upon a determination that the person recklessly or negligently operated a motor vehicle in a manner that caused the death of another person is stayed upon a request for a hearing by the person.

**Committee Amendment "A" (S-5)**

This amendment amends current law governing driver's license suspensions to remove a reference to reckless operation since a suspension is determined by the Secretary of State's application of the lesser civil standard of negligent operation. The amendment also makes a technical correction to the bill.

**Enacted Law Summary**

Public Law 2015, chapter 13 removes a reference to reckless operation in the law governing driver's license suspensions since a suspension is determined by the Secretary of State's application of the lesser civil standard of negligent operation.

**LD 223      An Act To Eliminate Outdated Provisions of the Laws Governing the      PUBLIC 5**  
**Maine Turnpike Authority**

<u>Sponsor(s)</u>	<u>Committee Report</u>	<u>Amendments Adopted</u>
MCLEAN COLLINS	OTP-AM	H-9

This bill repeals certain provisions of law governing the Maine Turnpike Authority, or "the authority." Specifically, this bill:

1. Repeals language regarding the payment on bonds that was required and made in 1982;
2. Repeals a provision concerning the process for widening the Maine Turnpike south of mile 44;
3. Repeals language requiring the authority, on a semiannual basis, to report to the Legislative Council on the authority's activities for the preceding half of the fiscal year;
4. Repeals language regarding the policy for authorizing additional exchanges; and
5. Corrects cross-references to the repealed language.

**Committee Amendment "A" (H-9)**

*Joint Standing Committee on Transportation*

Current law provides that the Maine Revised Statutes, Title 5, chapter 153, subchapter 1 relating to bids and contracts for public improvement projects does not apply to contracts for transportation-related services and contracts for construction and maintenance that, by law, are under the supervision of the Department of Transportation. This amendment clarifies that Title 5, chapter 153, subchapter 1 also does not apply to contracts for transportation-related services and contracts for construction and maintenance that, by law, are under the supervision of the Maine Turnpike Authority.

**Enacted Law Summary**

Public Law 2015, chapter 5 repeals certain provisions of law governing the Maine Turnpike Authority, or "the authority." Specifically, the law:

1. Repeals language regarding the payment on bonds that was required and made in 1982;
2. Repeals a provision concerning the process for widening the Maine Turnpike south of mile 44;
3. Repeals language requiring the authority, on a semiannual basis, to report to the Legislative Council on the authority's activities for the preceding half of the fiscal year; and
4. Repeals language regarding the policy for authorizing additional exchanges.

The law also clarifies that Title 5, chapter 153, subchapter 1 relating to bids and contracts for public improvement projects does not apply to contracts for transportation-related services and contracts for construction and maintenance that, by law, are under the supervision of the Maine Turnpike Authority.

**LD 227      An Act To Remove Barriers to Job Opportunities for Young Truck Drivers      CARRIED OVER**

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

This bill allows the Department of Public Safety, Bureau of State Police to create a program of limited duration for truck drivers 18 to 21 years of age under an exemption from federal regulations concerning transporting hazardous materials adopted by the bureau that encourages the drivers to enter the commercial trucking profession and reduces the regulatory barriers for and monitors and records the skills and driving records of the drivers.

This bill was carried over to any special or regular session of the 127th Legislature by joint order, H.P. 992.

**LD 228      An Act To Make Allocations from Maine Turnpike Authority Funds for the Maine Turnpike Authority for the Calendar Year Ending December 31, 2016      P & S 1**

<u>Sponsor(s)</u>	<u>Committee Report</u>	<u>Amendments Adopted</u>
MCLEAN COLLINS	OTP-AM	H-7

This bill makes allocations from gross revenues of the Maine Turnpike Authority for the payment of the authority's operating expenses for the calendar year ending December 31, 2016 in accordance with the requirements of the Maine Revised Statutes, Title 23, section 1961, subsection 6.

**Committee Amendment "A" (H-7)**

*Joint Standing Committee on Transportation*

This amendment incorporates a fiscal note.

**Enacted Law Summary**

Private and Special Law 2015, chapter 1 makes allocations from gross revenues of the Maine Turnpike Authority for the payment of the authority's operating expenses for the calendar year ending December 31, 2016 in accordance with the requirements of the Maine Revised Statutes, Title 23, section 1961, subsection 6.

**LD 246      An Act To Prohibit the Handling of a Mobile Telephone While Operating a Motor Vehicle      ONTP**

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

This bill prohibits operating a motor vehicle while handling a mobile telephone. The bill allows certain people to handle mobile telephones while driving within the scope of their employment, including drivers of authorized emergency vehicles, holders of commercial driver's licenses, physicians, municipal public works personnel, Maine Turnpike Authority personnel and state transportation personnel, including all employees and contractors of the Department of Transportation. The bill makes the offense a traffic infraction.

See also LD 185.

**LD 247      An Act To Create Corridor Districts for the Purpose of Funding Transportation and Transit Services      Veto Sustained**

<u>Sponsor(s)</u>	<u>Committee Report</u>	<u>Amendments Adopted</u>
CHIPMAN ROSEN	OTP-AM ONTP	H-254

This bill, which is a concept draft pursuant to Joint Rule 208, proposes to provide for a more predictable and stable environment to fund transit and mobility needs, including passenger rail, ferries and bus, bike and pedestrian routes, by allowing the creation of multimunicipal, multijurisdictional transportation districts along defined transportation corridors and to form service sharing and revenue partnerships. The corridor districts will have the authority to bond infrastructure; raise funds for operations, capital investment and maintenance of facilities; purchase, own and lease real estate, including station and station area infrastructure financing; and support downtown infrastructure financing strategies, transit corridor infrastructure financing strategies and regional transportation initiatives.

A local referendum will be required in each municipality desiring to participate in a transit partnership. District membership will be identified by criteria specific to a defined transportation corridor. The districts will provide inducements for expanding, retaining businesses and attracting new investments and provide adequate revenues to support critical state and local transportation services.

**Committee Amendment "A" (H-254)**

This amendment, which is the majority report, strikes and replaces the concept draft. The amendment provides for the formation of transportation corridor districts within the current law relating to transit districts and regional transportation corporations. The amendment provides that a municipality may, by itself or in cooperation with one or more other municipalities, form a transportation corridor district for the purposes of providing an environment to fund public transportation and accessibility needs, including passenger rail, ferry, bus, bicycle and pedestrian facilities and routes, and promoting economic development at transportation station areas and in downtown areas.

*Joint Standing Committee on Transportation*

The amendment requires a municipality or group of municipalities to select the borders of the transportation corridor district. The amendment requires that the formation of a transportation corridor district be approved by a voter referendum in each participating municipality. The amendment authorizes a district's board of directors, with approval from all municipalities in the district, to change the borders of the district. The amendment also provides that a transportation corridor district, if approved by voter referendum in each municipality participating in the district, may borrow money temporarily and issue its negotiable notes for that money and issue securities of the district.

**LD 260      Resolve, To Create a License Plate To Recognize the Centennial of the United States Navy Reserve**

**RESOLVE 43  
EMERGENCY**

<u>Sponsor(s)</u>	<u>Committee Report</u>	<u>Amendments Adopted</u>
COLLINS MAKER	OTP-AM	S-11

This resolve creates a special commemorative, simulated motor vehicle registration plate in celebration of the centennial of the United States Navy Reserve, which takes place March 3, 2015. The Secretary of State is directed to design and issue the plate, which may be displayed until March 3, 2016 covering the front registration plate. Revenue generated by the sale of the plate in excess of the cost of production and issuance will be given to the Maine Military Family Relief Fund.

**Committee Amendment "A" (S-11)**

This amendment incorporates a fiscal note.

**Enacted Law Summary**

Resolve 2015, chapter 43 creates a special commemorative, simulated motor vehicle registration plate in celebration of the centennial of the United States Navy Reserve, which took place March 3, 2015. The Secretary of State is directed to design and issue the plate, which may be displayed until March 3, 2016 covering the front registration plate. Revenue generated by the sale of the plate in excess of the cost of production and issuance will be given to the Maine Military Family Relief Fund.

Resolve 2015, chapter 43 was finally passed as an emergency measure effective June 23, 2015.

**LD 262      Resolve, Directing the Department of Transportation and the Maine Turnpike Authority To Erect Highway Signs for Thornton Academy**

**ONTP**

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

This resolve directs the Maine Turnpike Authority to place directional signs to Thornton Academy in the City of Saco on the Maine Turnpike at the northbound and southbound exits of the highway that are located closest to Thornton Academy, and the Department of Transportation to place directional signs on Interstate 195 in each direction. The resolve directs Thornton Academy to assume all costs associated with the signs.

*Joint Standing Committee on Transportation*

**LD 269      An Act To Require the Maine Turnpike Authority To Consider Certain      ONTP**  
**Third-party Studies and Municipal Recommendations in Its**  
**Decision-making Process**

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

This bill requires the Maine Turnpike Authority, prior to funding a significant transportation project, to review any third-party study relating to the project and to consider recommendations of a municipality that is entirely or in part within the boundaries of the project area as expressed in a vote of the legislative body of that municipality.

**LD 272      An Act To Amend the Law Regarding Juvenile Provisional Licenses To      Died Between**  
**Foster Military Service      Houses**

<u>Sponsor(s)</u>	<u>Committee Report</u>	<u>Amendments Adopted</u>
THERIAULT KATZ	REF TO CJPS	

This bill, which is a concept draft pursuant to Joint Rule 208, proposes to amend the juvenile provisional license laws so that a person who violates a condition of that person's provisional license by operating a motor vehicle with a detectable blood-alcohol level is not rendered ineligible to serve in the Armed Forces of the United States as long as the blood-alcohol concentration is below 0.08 grams per 100 milliliters of blood.

**LD 283      An Act To Require Proof of Insurance for Motor Vehicle Inspection      ONTP**

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

This bill provides that a certified inspection mechanic may not perform a motor vehicle inspection or issue or sign a certificate of inspection for a motor vehicle unless the certified inspection mechanic verifies that the motor vehicle is covered by a liability insurance policy.

**LD 284      An Act To Amend the Law Concerning Overwidth Farm Tractors on      PUBLIC 303**  
**Public Ways**

<u>Sponsor(s)</u>	<u>Committee Report</u>	<u>Amendments Adopted</u>
BLACK EDGECOMB P	OTP-AM	H-31

Current law allows an overwidth light farm tractor to operate on a public way or bridge without a permit when the tractor is equipped with adequate lights or reflectors warning other highway users of the tractor's extreme width. This bill allows all overwidth farm tractors to operate on public ways and bridges.

**Committee Amendment "A" (H-31)**

This amendment allows all overwidth farming vehicles to operate on public ways and bridges without permits.

*Joint Standing Committee on Transportation*

**Enacted Law Summary**

Public Law 2015, chapter 303 allows all overwidth farming vehicles to operate on public ways and bridges without permits.

**LD 285      Resolve, Directing the Department of Transportation To Install a Traffic Light in the Town of Prospect      ONTP**

Sponsor(s)

WARD

Committee Report

ONTP

Amendments Adopted

This resolve directs the Department of Transportation to install a traffic light at the intersection of U.S. Route 1A and Route 174 in the Town of Prospect.

**LD 286      An Act Making Supplemental Allocations from the Highway Fund and Other Funds for the Expenditures of State Government Necessary to the Proper Operations of State Government for the Fiscal Year Ending June 30, 2015      PUBLIC 10 EMERGENCY**

Sponsor(s)

MCLEAN  
COLLINS

Committee Report

OTP-AM

Amendments Adopted

H-19

This bill makes supplemental allocations from the Highway Fund and other funds for the expenditures of State Government necessary to the proper operations of State Government for the fiscal year ending June 30, 2015.

**Committee Amendment "A" (H-19)**

This amendment reduces the amount of funding for equipment and supplies for the State Police from \$137,774, as proposed in the bill, to \$131,399.

**Enacted Law Summary**

Public Law 2015, chapter 10 makes supplemental allocations from the Highway Fund and other funds for the expenditures of State Government necessary to the proper operations of State Government for the fiscal year ending June 30, 2015.

Public Law 2015, chapter 10 was enacted as an emergency measure effective April 2, 2015.

**LD 287      An Act To Improve Traffic Safety during Political Campaign Seasons      CARRIED OVER**

Sponsor(s)

DEVIN

Committee Report

Amendments Adopted

Current law allows political signs to be erected and maintained within the public right-of-way without a license or permit. This bill repeals that law.

This bill was carried over to any special or regular session of the 127th Legislature by joint order, H.P. 992.

*Joint Standing Committee on Transportation*

**LD 288      An Act To Amend the Requirement of When Headlights Must Be Used**

**PUBLIC 51**

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

This bill expands the time of day during which vehicles must use headlights to the period from sunset to sunrise.

**Enacted Law Summary**

Public Law 2015, chapter 51 expands the time of day during which vehicles must use headlights to the period from sunset to sunrise.

**LD 293      Resolve, To Require the Department of Transportation To Establish a Working Group To Examine Weight Limits for Tractor-trailers with Different Axle Spacings**

**ONTP**

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

This resolve directs the Department of Transportation to convene a working group to examine amending the Maine Revised Statutes, Title 29-A, section 2365 to include greater flexibility in axle spacing and weight limits for the combination vehicle consisting of a four-axle single unit truck operating in combination with a two-axle trailer, which has a gross allowable weight of 94,000 pounds. It directs the department to report to the Joint Standing Committee on Transportation no later than January 15, 2016 and gives the Joint Standing Committee on Transportation authority to submit a bill to the Second Regular Session of the 127th Legislature relating to the subject matter of this report.

**LD 308      An Act To Cap Fines Imposed for Certain Motor Carrier Violations**

**Accepted Majority (ONTP) Report**

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

This bill provides that the total fine for violations of motor carrier laws for a motor carrier with no previous violation discovered during a compliance review may not exceed \$1,000.

**Committee Amendment "A" (S-36)**

This amendment, which is the minority report, provides that the total fine for violations of motor carrier laws for a motor carrier with no previous violation discovered during a compliance review may not exceed \$2,000, instead of \$1,000 as proposed in the bill.

*Joint Standing Committee on Transportation*

**LD 323      Resolve, To Provide Funding to the Department of Transportation To Complete a Service Plan for the Development of Passenger Rail Service to Lewiston and Auburn      Died On Adjournment**

<u>Sponsor(s)</u>	<u>Committee Report</u>	<u>Amendments Adopted</u>
GOLDEN LIBBY	OTP-AM	H-28

This bill provides one-time funding to complete the final engineering design and environmental assessment for the state-owned portion of the St. Lawrence and Atlantic Railroad line from Yarmouth Junction to the Lewiston-Auburn area.

**Committee Amendment "A" (H-28)**

This amendment, which replaces the bill with a resolve, directs the Department of Transportation, in consultation with the cities of Lewiston and Auburn and the Northern New England Passenger Rail Authority, to conduct a study and complete a plan for the implementation of passenger rail service between the cities of Lewiston and Auburn and the Amtrak Downeaster service. The amendment also decreases the funding to complete the study from a one-time Highway Fund allocation of \$1,000,000, as proposed in the bill, to \$500,000 in the state fiscal year ending June 30, 2016.

**LD 333      An Act To Help Veterans To Receive Benefits      ONTP**

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

The bill provides that a driver's license or nondriver identification card with a military service designation requested by a veteran must bear the word "Veteran."

**LD 345      An Act To Require Motorists To Move to a Nonadjacent Lane or Slow Down for Certain Stationary Vehicles      ONTP**

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

This bill adds public utility emergency service vehicles and refuse, garbage and trash business vehicles to the list of stationary vehicles for which a motorist must move to a nonadjacent lane or, if moving to a nonadjacent lane is impossible or unsafe, slow down.

See also LDs 196 and 371.

**LD 348      An Act To Provide for 2-year Motor Vehicle Inspection Stickers      ONTP**

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

*Joint Standing Committee on Transportation*

This bill changes the law to require motor vehicle inspections every two years.

**LD 363      An Act Regarding Learner's Permits for Driver's Licenses      ONTP**

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

This bill allows a designee of the Secretary of State or a person licensed as a driver education instructor to do the following:

1. Collect fees for a learner's permit for a driver's license;
2. Collect application materials for a learner's permit;
3. Administer an examination for a learner's permit; and
4. Issue a learner's permit.

Current law allows only the Secretary of State to perform these functions. See also LD 682.

**LD 371      An Act To Enhance Safety for Highway Maintenance Vehicles      ONTP**

<u>Sponsor(s)</u>	<u>Committee Report</u>	<u>Amendments Adopted</u>
COLLINS O'CONNOR	ONTP	

This bill adds highway maintenance vehicles to the list of stationary vehicles for which a motorist must slow down or move to a nonadjacent lane, if possible.

See also LDs 196 and 345.

**LD 381      An Act To Change the Motor Vehicle Inspection Requirements To  
Extend the Time between Inspections      ONTP**

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

This bill changes the annual inspection requirement for motor vehicles, except for commercial vehicles, trailers and semitrailers, to a biennial inspection requirement. The bill provides that a new motor vehicle that has had an inspection is not required to have another inspection until four years from the last day of the month in which it was initially registered. The bill provides that a new motor vehicle does not include a commercial motor vehicle, trailer or semitrailer. The bill also changes the annual enhanced inspection requirement for vehicles registered in Cumberland County in a similar manner.

*Joint Standing Committee on Transportation*

**LD 390 An Act To Enforce Restrictions in Parking Spaces and Access Aisles Designated for Persons with a Walking Disability**

**PUBLIC 52**

<u>Sponsor(s)</u>	<u>Committee Report</u>	<u>Amendments Adopted</u>
CRAFTS MASON	OTP-AM	H-73

This bill provides that testimony under oath with clear photographic evidence from a person with a disability or the driver of a vehicle transporting a person with a disability is prima facie evidence that a violation of a disability parking restriction has occurred.

**Committee Amendment "A" (H-73)**

This amendment provides that this provision applies to the registered owner's liability for a vehicle illegally parked in a disability parking space or access aisle.

**Enacted Law Summary**

Public Law 2015, chapter 52 provides that testimony under oath with clear photographic evidence from a person with a disability or the driver of a vehicle transporting a person with a disability is prima facie evidence that a violation of a disability parking restriction has occurred. This provision applies to the registered owner's liability for a vehicle illegally parked in a disability parking space or access aisle.

**LD 410 Resolve, To Direct the Department of Transportation To Require the Word "Danger" on All Road Signs That Warn of Moose**

**ONTP**

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

This resolve directs the Department of Transportation to require the word "danger" to be included on all signs that caution motorists of moose crossings on the roadways.

**LD 411 Resolve, Regarding Engineering for Route 161**

**ONTP**

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

This resolve requires the Department of Transportation to commence engineering work for Route 161 construction from the Town of Fort Kent to Ouellette Road in Cross Lake Township by October 1, 2015.

**LD 437 An Act To Ensure the Responsibility of the Department of Transportation for a Portion of U.S. Route 1 in York and for the U.S. Route 1 Bypass in Kittery**

**ONTP**

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

*Joint Standing Committee on Transportation*

This bill directs the Department of Transportation to maintain the U.S. Route 1 Bypass in the Town of Kittery and U.S. Route 1 in the Town of York from the Kittery town line north to Mountain Road.

**LD 439      An Act To Prohibit Excessive Idling of Passenger Trains      ONTP**

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

This bill prohibits a passenger train engine from operating for more than 30 minutes while the train is stopped except for during repairs or servicing requiring the engine to be running or delivering or accepting merchandise or passengers requiring engine-assisted power and includes a fine of \$2,500 for a violation of these provisions.

**LD 505      An Act To Increase the Funding Level of the Local Road Assistance Program      Accepted Majority (ONTP) Report**

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

This bill increases the annual funding dedicated for the Local Road Assistance Program from nine percent to ten percent of the Highway Fund allocation to the Department of Transportation.

**Committee Amendment "A" (H-82)**

This amendment, which is the minority report, increases the annual funding dedicated for the Local Road Assistance Program from nine percent to ten percent of the Highway Fund allocation to the Department of Transportation over a four-year period beginning July 1, 2015.

**LD 506      An Act To Improve Public-private Transportation Partnerships      ONTP**

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

This bill changes the law governing public-private partnerships to develop transportation facilities by removing the Department of Transportation's authority to receive unsolicited proposals and to limit those proposals solicited by the department to those in accordance with the Sensible Transportation Policy Act.

**LD 515      An Act To Amend the Law Regarding Commercial Learner's Permits      PUBLIC 46 EMERGENCY**

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

This bill repeals the requirement that limits eligibility for a commercial learner's permit to an applicant 18 years of age or older in a section of law that takes effect July 8, 2015.

*Joint Standing Committee on Transportation*

**Enacted Law Summary**

Public Law 2015, chapter 46 repeals the requirement that limits eligibility for a commercial learner's permit to an applicant 18 years of age or older in a section of law that takes effect July 8, 2015.

Public Law 2015, chapter 46 was enacted as an emergency measure effective April 30, 2015.

**LD 520      An Act To Amend the Requirement for a Certificate of Title for Junk and Scrap Automobiles and Vehicles**

**PUBLIC 88  
EMERGENCY**

<u>Sponsor(s)</u>	<u>Committee Report</u>	<u>Amendments Adopted</u>
COLLINS PARRY	OTP-AM	S-37

Current law exempts automobiles and vehicles older than model year 1995 from the requirement to have a certificate of title, except when the Secretary of State determines it is in the best interest of the State and the applicant to issue a title to such a vehicle. This bill adds an exemption for a vehicle more than 15 years old being transferred for junk or scrap.

**Committee Amendment "A" (S-37)**

This amendment provides that a recycler, salvage vehicle dealer or scrap processor may accept a vehicle without a certificate of title or certificate of salvage if the following conditions are met:

1. The vehicle model year is 1995, 1996, 1997, 1998 or 1999;
2. The recycler, salvage vehicle dealer or scrap processor obtains the seller's name and address and maintains the seller's name and address and vehicle identification number of the scrapped vehicle for a period of at least one year; and
3. The recycler, salvage vehicle dealer or scrap processor reports the destruction of the vehicle to the Secretary of State within 30 days.

This amendment also provides an effective date of July 1, 2015.

**Enacted Law Summary**

Public Law 2015, chapter 88 provides that, beginning July 1, 2015, a recycler, salvage vehicle dealer or scrap processor may accept a vehicle without a certificate of title or certificate of salvage if the following conditions are met:

1. The vehicle model year is 1995, 1996, 1997, 1998 or 1999;
2. The recycler, salvage vehicle dealer or scrap processor obtains the seller's name and address and maintains the seller's name and address and vehicle identification number of the scrapped vehicle for a period of at least one year; and
3. The recycler, salvage vehicle dealer or scrap processor reports the destruction of the vehicle to the Secretary of State within 30 days.

Public Law 2015, chapter 88 was enacted as an emergency measure effective May 17, 2015.

*Joint Standing Committee on Transportation*

**LD 527      An Act To Repeal Outdated Agricultural Aviation Laws**

**PUBLIC 33**

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

This bill removes the requirement for the Commissioner of Transportation to issue a permit for agricultural aviation.

**Enacted Law Summary**

Public Law 2015, chapter 33 removes the requirement for the Commissioner of Transportation to issue a permit for agricultural aviation.

**LD 528      An Act To Amend the Laws Regarding the Maine Organ and Tissue Donation Fund**

**Veto Sustained**

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

This bill clarifies that the Secretary of State and not the Treasurer of State manages the Maine Organ and Tissue Donation Fund and distributes revenue to the Organ Donation Advisory Council, that all interest accrued by the fund becomes part of the fund and that the fund is nonlapsing.

**LD 529      An Act To Amend the Law Concerning Motor Vehicles at Railroad Crossings**

**PUBLIC 89**

<u>Sponsor(s)</u>	<u>Committee Report</u>	<u>Amendments Adopted</u>
DIAMOND	OTP-AM	S-46

Current law requires that when a railroad crossing is protected by gates that are lowered or being lowered or a flagger or automatic signal is indicating that a train is approaching, an operator of a motor vehicle must bring that vehicle to a full stop at a distance of not less than 10 feet from the nearest rail of the crossing.

This bill provides that an operator of a motor vehicle must approach a railroad crossing in a manner so that the operator will be able to stop if necessary. The operator must stop the vehicle not less than 15 feet and not more than 50 feet from the nearest rail of the railroad track and may not proceed until the operator may do so safely if a clearly visible electric or mechanical signal device warns of the approach of a train; a crossing gate is lowered or a flagger gives or continues to give a signal or warning of the approach or passage of a train; a train is visible and is in hazardous proximity to the crossing; or a sign, device or law requires the vehicle to stop.

**Committee Amendment "A" (S-46)**

This amendment clarifies that the operator of a motor vehicle approaching a railroad crossing must stop the vehicle not less than 15 feet and not more than 50 feet from the nearest rail of the railroad track and may not proceed if a clearly visible electric or mechanical signal device warns of the approach of a train; a crossing gate is lowered or a flagger gives or continues to give a signal or warning of the approach or passage of a train; a train is visible and is in hazardous proximity to the crossing; or a sign, device or law requires the vehicle to stop.

**Enacted Law Summary**

*Joint Standing Committee on Transportation*

Public Law 2015, chapter 89 clarifies that the operator of a motor vehicle approaching a railroad crossing must stop the vehicle not less than 15 feet and not more than 50 feet from the nearest rail of the railroad track and may not proceed if a clearly visible electric or mechanical signal device warns of the approach of a train; a crossing gate is lowered or a flagger gives or continues to give a signal or warning of the approach or passage of a train; a train is visible and is in hazardous proximity to the crossing; or a sign, device or law requires the vehicle to stop.

**LD 543      An Act To Amend the Laws Governing the Use of Flashing Lights by School Buses      ONTP**

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

This bill allows a school bus driver to receive or discharge passengers without activating flashing lights during a school field trip or sports trip when the passengers are with a chaperone or a coach and the school bus driver determines it is safe to do so.

**LD 544      An Act To Assist Maine Veterans and Service Members      ONTP**

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

This bill establishes the Veterans Count Maine Donation Fund and allows for a person to designate a donation to be paid into the fund when applying for or renewing a driver's license.

**LD 545      An Act To Require That Traffic Lights Default to Flashing Mode between the Hours of Midnight and 6 a.m.      ONTP**

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

This bill requires that traffic lights default to a flashing mode between the hours of 12 midnight and 6 a.m.

**LD 554      An Act Concerning Commercial Vehicles at Canadian Weight Limits Traveling to Certain Points in the State      PUBLIC 119 EMERGENCY**

<u>Sponsor(s)</u>	<u>Committee Report</u>	<u>Amendments Adopted</u>
MAKER BURNS	OTP-AM	H-85

This bill changes the weight limits that certain commercial vehicles may have when traveling from the United States-Canada border to certain points in the State.

**Committee Amendment "A" (H-85)**

This amendment changes the bill by removing language allowing three-axle truck tractors with four-axle

## *Joint Standing Committee on Transportation*

semitrailers of no more than 122,380 pounds total to travel from the United States-Canada border in Calais, Madawaska and Van Buren to certain points within the State.

The amendment allows certain commercial vehicles with a seven-axle configuration to travel from the United States-Canada border in Calais to Woodland Pulp LLC mill or its successor and the former oriented strand board facility in Baileyville. The amendment provides that this allowance does not take effect unless the chief engineer of the Department of Transportation conducts an analysis and determines that commercial vehicles of the proposed configuration and weight can be safely operated on the proposed routes of travel. The amendment repeals the allowance on January 1, 2018. The amendment requires the Department of Transportation to monitor and evaluate the effects of this allowance on road conditions and to report to the joint standing committee of the Legislature having jurisdiction over transportation matters during the Second Regular Session of the 127th Legislature and the First Regular Session of the 128th Legislature. The amendment provides that the joint standing committee has authority to submit a bill during the First Regular Session of the 128th Legislature regarding the subject matter of the report. The amendment adds an emergency preamble and emergency clause to the bill.

The amendment revises the authorized route of travel in the Town of Van Buren in the current law allowing certain commercial vehicles at Canadian weight limits to travel from the United States-Canada border to certain points in the State.

Current law authorizes the Department of Transportation to adopt rules, in consultation with the Department of Public Safety and the Department of the Secretary of State, that allow certain commercial motor vehicles that exceed gross vehicle weight limits and vehicle dimension standards established in statute to travel upon designated routes. The amendment repeals the exclusion from the commercial motor vehicle configurations that may be allowed to operate on specified routes of travel by the Commissioner of Transportation truck tractor-semitrailer-semitrailer combination vehicles in which the two trailing units are connected with a B-train assembly.

### **Enacted Law Summary**

Public Law 2015, chapter 119 allows certain commercial vehicles with a seven-axle configuration to travel from the United States-Canada border in Calais to Woodland Pulp LLC mill or its successor and the former oriented strand board facility in Baileyville. It provides that this allowance does not take effect unless the chief engineer of the Department of Transportation conducts an analysis and determines that commercial vehicles of the proposed configuration and weight can be safely operated on the proposed routes of travel. The law repeals this allowance on January 1, 2018.

The law requires the Department of Transportation to monitor and evaluate the effects of this allowance on road conditions and to report to the joint standing committee of the Legislature having jurisdiction over transportation matters during the Second Regular Session of the 127th Legislature and the First Regular Session of the 128th Legislature. It provides that the joint standing committee has authority to submit a bill during the First Regular Session of the 128th Legislature regarding the subject matter of the report.

The law revises the authorized route of travel in the Town of Van Buren for certain commercial vehicles at Canadian weight limits travelling from the United States-Canada border to certain points in the State.

The Department of Transportation is authorized to adopt rules, in consultation with the Department of Public Safety and the Department of the Secretary of State, that allow certain commercial motor vehicles that exceed gross vehicle weight limits and vehicle dimension standards established in statute to travel upon designated routes. The law repeals the exclusion from the commercial motor vehicle configurations that may be allowed to operate on specified routes of travel by the Commissioner of Transportation truck tractor-semitrailer-semitrailer combination vehicles in which the two trailing units are connected with a B-train assembly.

Public Law 2015, chapter 554 was enacted as an emergency measure effective May 29, 2015.

*Joint Standing Committee on Transportation*

See also LD 1172.

**LD 591      An Act To Allow Municipal and Volunteer Firefighters To Operate Motor Vehicles as Authorized Emergency Vehicles      ONTP**

Sponsor(s)

SAVIELLO

Committee Report

ONTP

Amendments Adopted

This bill allows a municipal or volunteer firefighter trained and experienced in emergency vehicle operations to operate a motor vehicle as an authorized emergency vehicle.

**LD 615      An Act Regarding Transparency in the Transportation of Hazardous Materials      ONTP**

Sponsor(s)

TIPPING-SPITZ  
DILL

Committee Report

ONTP

Amendments Adopted

This bill, which is a concept draft pursuant to Joint Rule 208, proposes to ensure that first responders, hospitals and emergency management agencies are provided information concerning hazardous materials transported by rail in the State in order to assist those entities in developing response plans.

See LD 484 under the Judiciary Committee.

**LD 634      An Act To Allow Operation of Modified Utility Vehicles on a Public Way      ONTP**

Sponsor(s)

DILL  
SAUCIER

Committee Report

ONTP

Amendments Adopted

This bill allows a modified utility vehicle, commonly known as a utility vehicle, recreational utility vehicle or multipurpose utility vehicle, to be registered and operated on a public way in Maine with certain limitations.

A modified utility vehicle that meets specified equipment requirements may be operated on Maine roads with a posted speed limit of 45 miles per hour or less to go from an all-terrain vehicle trail to a gasoline station or an establishment selling prepared food and return to the all-terrain vehicle trail. Like a low-speed vehicle, a modified utility vehicle is exempt from inspection requirements and is registered by application to the Secretary of State.

In order to avoid the cost of printing a new registration plate specifically for modified utility vehicles, a modified utility vehicle is issued a motorcycle registration plate.

**LD 645      An Act To Create a Transportation Planning Incentive for Communities Located on Peninsulas      ONTP**

Sponsor(s)

LANGLEY  
KUMIEGA

Committee Report

ONTP

Amendments Adopted

*Joint Standing Committee on Transportation*

In order to promote partnerships, including interlocal agreements under the Maine Revised Statutes, Title 30-A, chapter 115, among municipalities located on state and state aid highways on peninsulas and to address the unique transportation needs of municipalities located on peninsulas with one road in and out, this bill requires the Department of Transportation to assign a higher priority classification for a state or state aid highway located on a peninsula. The relevant municipality or group of municipalities must develop a 10-year work plan that describes and addresses local and regional transportation infrastructure needs and considers the regional effect of the capital improvement of the state or state aid highway.

**LD 676      Resolve, Directing the Department of Transportation To Study the Use of Calcium Chloride on Roads and Its Effect on Vehicles      ONTP**

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

This resolve requires the Department of Transportation to study the use of calcium chloride on roads and its effect on vehicles and report to the Joint Standing Committee on Transportation with the results of the study.

**LD 682      An Act To Ensure the Administration of Written Driving Tests      PUBLIC 114**

<u>Sponsor(s)</u>	<u>Committee Report</u>	<u>Amendments Adopted</u>
GILLWAY ROSEN	OTP-AM	H-109

This bill provides that the Secretary of State may not waive any component of the driver's license examination requirements except for an applicant who possesses a valid driver's license from another state or jurisdiction. The bill also clarifies that fees and any required application materials for a learner's permit must be collected by the Secretary of State, any examination for a learner's permit must be administered by the Secretary of State and a learner's permit must be issued by the Secretary of State.

**Committee Amendment "A" (H-109)**

Current law provides that any required examination for a learner's permit may be administered only by the Secretary of State, and the bill clarifies the Secretary of State's authority regarding these examinations. This amendment, which strikes and replaces the bill, provides that the Secretary of State may waive this requirement on receipt of a Maine driver education course completion certificate. The amendment also strikes the emergency preamble and emergency clause from the bill.

**Enacted Law Summary**

Public Law 2015, chapter 114 provides that the Secretary of State may waive the required examination for a learner's permit on receipt of a Maine driver education course completion certificate.

See also LD 363.

**LD 687      An Act To Expand Classification Categories for Motor Vehicles in the State      CARRIED OVER**

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

***Joint Standing Committee on Transportation***

This bill, which is a concept draft pursuant to Joint Rule 208, proposes to revisit the motor vehicle classification of autocycle, which was defined in the Maine Revised Statutes, Title 29-A, section 101, former subsection 6-B as an enclosed motorcycle with up to three wheels. The definition was a temporary measure that self-repealed in 2013. This bill proposes reviewing various types and models of enclosed motor vehicles with three wheels or fewer that are existing or under development for the purpose of registration and possibly creating a new motor vehicle classification for registration under the State's motor vehicle laws.

This bill was carried over to any special or regular session of the 127th Legislature by joint order, H.P. 992.

**LD 706      Resolve, To Establish a Commission To Study Transportation Funding Reform      **Died On Adjournment****

<u>Sponsor(s)</u>	<u>Committee Report</u>	<u>Amendments Adopted</u>
MCLEAN	OTP-AM	H-223

This resolve, which is a concept draft pursuant to Joint Rule 208, proposes to establish a commission composed of Legislators, transportation professionals or other parties to study transportation funding reforms that will promote equity and sustainability and that will yield the predictable funding levels needed to support a safe and reliable highway and bridge system that supports economic opportunity.

Study topics may include, but are not limited to, a review of the funding levels necessary to achieve the capital goals set forth in the Maine Revised Statutes, Title 23, section 73, subsection 7, paragraphs A to D including anticipated shortfalls; a 10-year capital funding plan to meet those goals; mechanisms to address the erosion of Highway Fund receipts and the rising inequity among drivers caused by higher automobile fuel efficiency; methods to more equitably share the costs of the highway system between residents and visitors from outside the State; rolling back baseline fuel tax rates and adding a wholesale tax component; and the use of a portion of sales tax receipts from transportation-related sales for transportation needs.

The commission is required to submit a report of its findings, including suggested legislation, to the Joint Standing Committee on Transportation by December 15, 2015, which in turn may submit a bill for presentation to the Second Regular Session of the 127th Legislature relating to the subject matter of the report.

**Committee Amendment "A" (H-223)**

This amendment, which strikes and replaces the concept draft, establishes the Commission To Study Transportation Funding Reform. The commission is required to study how to reform and adequately supplement funding for the State's transportation infrastructure to promote equity, sustainability and predictability in a manner that allows the State to responsibly provide a safe and reliable transportation system. The commission is required to report its findings and recommendations, including suggested legislation, to the Joint Standing Committee on Transportation no later than December 2, 2015. The Joint Standing Committee on Transportation may submit legislation to the Second Regular Session of the 127th Legislature relating to the subject matter of the report. The amendment also adds an appropriations and allocations section.

**LD 707      An Act To Correct an Error in the Law That Allows a Break in Control of Access on William L. Clarke Drive in the City of Westbrook      **P & S 3 EMERGENCY****

<u>Sponsor(s)</u>	<u>Committee Report</u>	<u>Amendments Adopted</u>
GATTINE HASKELL	OTP-AM	H-57

*Joint Standing Committee on Transportation*

This bill corrects a reference to a lot number to allow, at the request of the owner of that lot, an entrance to be built on William L. Clarke Drive in the City of Westbrook.

**Committee Amendment "A" (H-57)**

This amendment specifies that any break in access on William L. Clarke Drive in the City of Westbrook must be in accordance with the Department of Transportation's procedures for control of access modifications.

**Enacted Law Summary**

Private and Special Law 2015, chapter 3 corrects a reference to a lot number to allow, at the request of the owner of that lot, an entrance to be built on William L. Clarke Drive in the City of Westbrook. The law also specifies that any break in access on William L. Clarke Drive in the City of Westbrook must be in accordance with the Department of Transportation's procedures for control of access modifications.

Private and Special Law 2015, chapter 3 was enacted as an emergency measure effective April 29, 2015.

**LD 737      An Act To Amend the Laws Regarding Learner's Permits and Intermediate Licenses**

**PUBLIC 113**

<u>Sponsor(s)</u>	<u>Committee Report</u>	<u>Amendments Adopted</u>
ROSEN MCLEAN	OTP-AM	S-58

This bill strengthens the restrictions on a driver of a motor vehicle under a learner's permit by increasing the requirements regarding the age of the accompanying licensed driver and the length of time that driver has held a driver's license and increasing the length of time a permit holder is required to have a learner's permit before obtaining a driver's license. The bill also expands the definition of "mobile telephone" to include devices providing access to voice, text messaging or Internet service as it applies to a driver with a learner's permit or a driver operating under a restricted license. This bill also strengthens the restrictions on a driver of a motor vehicle who is under 18 years of age operating under a restricted license by prohibiting the driver from carrying immediate family members without an accompanying licensed driver, decreasing the time period during which a driver with a restricted license may operate a motor vehicle unless traveling to and from work, and requiring the driver to display decals in the motor vehicle indicating that the driver may be a holder of a restricted license. Finally, the bill changes the fine for using a mobile telephone while driving under a restricted license to \$500 and sets the fine for failing to display a restricted license reflective decal at \$100.

**Committee Amendment "A" (S-58)**

This amendment strikes and replaces the bill. The amendment strikes from the bill:

1. The increase in the required minimum age of the accompanying licensed driver, for a driver of a motor vehicle under a learner's permit, from 20 to 25 years of age;
2. The increase in the required length of time that the accompanying licensed driver, for a driver of a motor vehicle under a learner's permit, has held a driver's license from two to three years;
3. The increase in the length of time a permit holder is required to have a learner's permit before obtaining a driver's license from six to 12 months; and
4. The increase in the fine for using a mobile telephone while operating a motor vehicle with an intermediate license from not less than \$250 and not more than \$500 to \$500.

The amendment amends the current laws prohibiting the holder of a learner's permit or intermediate license from

*Joint Standing Committee on Transportation*

using a mobile telephone while operating a motor vehicle to also prohibit such a person from using a handheld electronic device while operating a motor vehicle. The amendment provides that the definitions in these provisions and in the provisions of current law that prohibit minors from using certain electronic devices while operating a motor vehicle are consistent.

The amendment strikes from the bill the prohibition on a driver who is operating a motor vehicle with an intermediate license from operating a motor vehicle between the hours of 10 p.m. and 5 a.m., unless traveling directly between the driver's place of employment and residence. The amendment leaves current law in place, which prohibits a driver who is operating a motor vehicle with an intermediate license from operating a motor vehicle between midnight and 5 a.m.

The amendment strikes from the bill the prohibition on a driver who is operating a motor vehicle with an intermediate license from carrying any passengers unless accompanied by a licensed operator. The amendment leaves current law in place, which provides that a driver who is operating a motor vehicle with an intermediate license may carry passengers who are immediate family members without being accompanied by a licensed operator.

The amendment revises the provision in the bill relating to requiring a driver who is operating a motor vehicle with an intermediate license to display a set of decals in the motor vehicle by providing that the decal program is voluntary. The amendment requires the Department of the Secretary of State, Bureau of Motor Vehicles to submit a report no later than February 1, 2017 to the joint standing committee of the Legislature having jurisdiction over transportation matters with an update on the decal program. The amendment also provides that the joint standing committee of the Legislature having jurisdiction over transportation matters may submit a bill to the First Regular Session of the 128th Legislature relating to the subject matter of this report.

**Enacted Law Summary**

Public Law 2015, chapter 113 prohibits the holder of a learner's permit or intermediate license from using any handheld electronic device, in addition to a mobile telephone, while operating a motor vehicle.

The law requires the Secretary of State to make available to a person who has been issued an intermediate license a set of two decals to place in the motor vehicle driven by the licensee that indicates that the driver of the motor vehicle may be a holder of an intermediate license. The driver who is operating a motor vehicle with an intermediate license may display these decals in the motor vehicle. The law also requires the Department of the Secretary of State, Bureau of Motor Vehicles to submit a report no later than February 1, 2017 to the joint standing committee of the Legislature having jurisdiction over transportation matters with an update on the voluntary decal program. The joint standing committee of the Legislature having jurisdiction over transportation matters may submit a bill to the First Regular Session of the 128th Legislature relating to the subject matter of this report.

**LD 788      An Act To Improve the Health of Maine Citizens and Safety of Pedestrians      Veto Sustained**

Sponsor(s)  
HARLOW

Committee Report  
OTP-AM

Amendments Adopted  
H-171

Current law requires the operator of a motor vehicle to leave a distance of at least three feet when passing a bicyclist, a person on roller skis or a pedestrian. If a collision occurs between a motor vehicle and a bicyclist or roller skier, it is prima facie evidence of a violation of the three-foot requirement by the operator of the motor vehicle; no such provision is included for a collision between a motor vehicle and a pedestrian.

This bill provides that a collision between a motor vehicle and a pedestrian is prima facie evidence of a violation of the three-foot requirement by the operator of the motor vehicle.

*Joint Standing Committee on Transportation*

**Committee Amendment "A" (H-171)**

This amendment clarifies that if a motorist strikes a person operating a bicycle or roller skis and that person operating a bicycle or roller skis is complying with the duties imposed on a bicyclist or roller skier as specified in the Maine Revised Statutes, Title 29-A, it is prima facie evidence of a violation of the three-foot requirement in current law by the operator of the motor vehicle.

The amendment also provides that if a motorist strikes a pedestrian and that pedestrian is complying with the duties required of a pedestrian as specified in Title 29-A, section 2056, it is prima facie evidence of a violation of the three-foot requirement in current law by the operator of the motor vehicle.

**LD 789      An Act To Require That Projects Undertaken by the Maine Turnpike Authority Have an Anticipated Useful Life of at Least 15 Years      ONTP**

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

This bill requires that, in determining whether to undertake construction or reconstruction of the turnpike or its connecting tunnels and bridges, overpasses, underpasses, interchanges and toll facilities, the Maine Turnpike Authority include in its evaluation the expected useful life of the proposed construction or reconstruction. The bill prohibits the authority from undertaking a proposed construction or reconstruction that has an expected useful life of less than 15 years.

**LD 809      An Act Regarding Motor Vehicle Inspection Program Requirements      ONTP**

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

This bill exempts a motor vehicle that is 30 months old or less with fewer than 50,000 miles from inspection requirements.

**LD 844      An Act To Improve Transit Services Statewide      PUBLIC 182**

<u>Sponsor(s)</u>	<u>Committee Report</u>	<u>Amendments Adopted</u>
MCLEAN DIAMOND	OTP-AM	H-186

This bill replaces the requirement in current law for biennial plans for regional transit with a requirement for quinquennial plans, which is consistent with federal requirements. The bill eliminates the Interagency Transportation Coordinating Committee and replaces it with a new Public Transit Advisory Council. The council is required to assist state agencies and the Legislature on issues related to public transit services.

The bill provides that the council must include, at a minimum, the Commissioner of Transportation, the Commissioner of Health and Human Services, the Commissioner of Labor and the Commissioner of Economic and Community Development or their designees. The other members are appointed by the Commissioner of Transportation. The Commissioner of Transportation is required to invite members from the joint standing committee of the Legislature having jurisdiction over transportation matters representing different political parties

*Joint Standing Committee on Transportation*

and at least one representative of the Northern New England Passenger Rail Authority to participate in council meetings.

The council is required to report to the Governor and the joint standing committees of the Legislature having jurisdiction over transportation matters and health and human services matters by March 1st of each odd-numbered year.

**Committee Amendment "A" (H-186)**

This amendment removes representatives of the Department of Labor, the Department of Health and Human Services and the Department of Economic and Community Development from the Public Transit Advisory Council, which the bill creates. The bill requires the council to make recommendations for the optimal coordination of transit services with other senior and veteran services provided by the Department of Transportation and the Department of Health and Human Services. The amendment requires the council to make recommendations for the optimal coordination of transit services with other senior and veteran services generally, without reference to those services provided by the departments.

It also removes the Department of Labor and the Department of Health and Human Services from the list of entities the Department of Transportation must consult with when designating regional public transportation agencies, approving locally coordinated plans for regional transit and coordinating purchase of service contracts.

**Enacted Law Summary**

Public Law 2015, chapter 182 replaces the requirement in current law for biennial plans for regional transit with a requirement for quinquennial plans, which is consistent with federal requirements. The law eliminates the Interagency Transportation Coordinating Committee and replaces it with a new Public Transit Advisory Council. The council is required to assist state agencies and the Legislature on issues related to public transit services. The council is required to report to the Governor and the joint standing committees of the Legislature having jurisdiction over transportation matters and health and human services matters by March 1st of each odd-numbered year.

**LD 845 An Act To Address Unmet Public Transportation Needs**

**CARRIED OVER**

<u>Sponsor(s)</u>	<u>Committee Report</u>	<u>Amendments Adopted</u>
JORGENSEN VALENTINO	OTP-AM	H-121

This bill provides an ongoing General Fund appropriation to the Department of Transportation of \$3,000,000 beginning in fiscal year 2015-16. The bill also requires the State Controller to transfer, beginning June 1, 2016 and every June 1st thereafter, \$500,000 from the Multimodal Transportation Fund program, Other Special Revenue Funds account within the Department of Transportation, to the Multimodal Transit Fund program, Other Special Revenue Funds account within the Department of Transportation. The funds must be distributed to public transportation providers statewide to better meet the need for such services.

**Committee Amendment "A" (H-121)**

This amendment strikes from the bill the requirement that the State Controller transfer, beginning June 1, 2016 and every June 1st thereafter, \$500,000 from the Multimodal Transportation Fund program, Other Special Revenue Funds account within the Department of Transportation, to the Multimodal Transit Fund program, Other Special Revenue Funds account within the Department of Transportation.

This bill was carried over on the Special Appropriations Table to any special or regular session of the 127th Legislature by joint order, S.P. 555.

*Joint Standing Committee on Transportation*

**LD 901      An Act To Ensure Sustainable Infrastructure Funding      ONTP**

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

This bill establishes a system of indexing Maine's motor fuel excise tax rates, tying adjusted rate increases to federal fuel efficiency standards.

**LD 902      Resolve, To Establish the Commission To Study Parking for Persons with Physical Disabilities      Died On Adjournment**

<u>Sponsor(s)</u>	<u>Committee Report</u>	<u>Amendments Adopted</u>
CRAFTS MASON	OTP-AM	H-116

This resolve establishes the Commission to Study Parking for Persons with Physical Disabilities.

**Committee Amendment "A" (H-116)**

This amendment adds an emergency preamble and emergency clause to the resolve.

The amendment provides that the representative of the Department of the Secretary of State, Bureau of Motor Vehicles is appointed to the commission by the Secretary of State rather than the Governor and the representative of the Department of Defense, Veterans and Emergency Management, Bureau of Maine Veterans' Services is appointed to the commission by the Adjutant General rather than the Governor. The amendment also provides that the Commissioner of Transportation or the commissioner's designee serves on the commission. The amendment adds one additional member of the House of Representatives with expertise in the subject matter of the study to the commission.

The amendment also specifies that the commission submits a report that includes findings and recommendations, including suggested legislation, to the Joint Standing Committee on Transportation. Pursuant to Joint Rule 353, upon receipt of a report submitted by a legislative study commission, the joint standing committee to which the report is submitted may submit a bill during the session to which the report is submitted to implement its recommendations on matters relating to the study.

**LD 903      An Act To Allow in Certain Circumstances Two-wheeled Vehicles To Proceed through Red Lights and Make Right Turns on Red in Contravention of Posted Prohibitions      ONTP**

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

This bill allows the operator of a motorcycle, moped or bicycle, including a motorized bicycle, motorized tricycle or motorized scooter, facing a steady and circular red light, after stopping for a reasonable amount of time, to proceed cautiously through the intersection before the light on the traffic-control device turns green if no other vehicles are present at the intersection to actuate the traffic-control device.

*Joint Standing Committee on Transportation*

**LD 982      An Act Requiring a Permit and Motor Vehicle Liability Insurance for      ONTP**  
**Transportation Network Companies**

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

This bill creates a permitting process for transportation network companies to provide transportation services, establishes minimum motor vehicle liability insurance requirements for transportation network companies and allows municipalities to regulate transportation network companies and drivers.

See LD 1379 under the Insurance and Financial Services Committee.

**LD 987      An Act To Suspend the Right of an Out-of-state Toll Violator To Operate      PUBLIC 159**  
**a Motor Vehicle on Maine Roads**

<u>Sponsor(s)</u>	<u>Committee Report</u>	<u>Amendments Adopted</u>
MCLEAN COLLINS	OTP-AM	H-148

This bill permits the Maine Turnpike Authority, in the case of a vehicle registered in another jurisdiction that is involved in a toll violation and when the authority knows only the license plate of a toll violator and not the identity of the registered owner, to send a notice of violation to the motor vehicle registry of the jurisdiction that issued the registration. The notice must contain a warning that if tolls are not paid, the owner's right to operate the motor vehicle in Maine may be suspended.

If the registered owner of a vehicle from another jurisdiction fails to pay or contest the notice of liability, the authority is directed to notify the Secretary of State. The Secretary of State then suspends the right of the owner to operate the vehicle in Maine and notifies the owner, if known, or the motor vehicle registry of the jurisdiction that issued the registration.

The bill also authorizes a law enforcement officer to remove a vehicle to a suitable parking place if it is being operated under a registration that is suspended for failure to pay tolls.

**Committee Amendment "A" (H-148)**

This amendment removes from the bill the language that provides that if the motor vehicle involved in a toll violation is registered in another jurisdiction and the registered owner's address is not known by the Maine Turnpike Authority, the notice may be sent to the motor vehicle registry of the jurisdiction that issued the registration. Instead, the amendment provides that the notice may be sent to an address for the registered owner obtained by the Maine Turnpike Authority through other reasonable means, including but not limited to databases compiled by law enforcement or other government agencies.

The amendment also removes from the bill provisions relating to notice of suspension or revocation of a license, and replaces it with language that provides that the suspension takes effect on the date specified in the notice, which may not be less than 10 days after the mailing of the notification.

**Enacted Law Summary**

Public Law 2015, chapter 159 permits the Maine Turnpike Authority, in the case of a vehicle registered in another jurisdiction that is involved in a toll violation and when the authority knows only the license plate of a toll violator and not the identity of the registered owner, to send a notice of violation to an address for the registered owner



## *Joint Standing Committee on Transportation*

available at the end of each fiscal year of the biennium to the Department of Transportation, Highway and Bridge Capital, Highway Light Capital and Maintenance and Operations programs for capital or all other needs. The funds may be allocated by financial order upon the recommendation of the State Budget Officer and the approval of the Governor.

Part E requires the State Controller to transfer \$5,710,148 in fiscal year 2015-16 and \$5,696,863 in fiscal year 2016-17 from the unallocated surplus of the Highway Fund to the TransCap Trust Fund.

Part F allows TransCap Trust Fund grants and loans to be authorized for capital projects with an anticipated useful life of five years.

Part G authorizes the Department of Administrative and Financial Services, on behalf of the Department of Public Safety, to enter into financing arrangements in fiscal years 2015-16 and 2016-17 for the acquisition of motor vehicles for the State Police.

Part H recognizes an increase in the attrition rate to three percent for the 2016-2017 biennium for judicial branch and executive branch departments and agencies.

Part I establishes a new internal service fund, the Industrial Drive Facility Fund account in the Department of Transportation, for the purposes of purchasing, operating, maintaining, improving and repairing the department's facility located on Industrial Drive in Augusta.

Part J eliminates the legislative review and approval requirement with respect to TransCap revenue bonds that are issued to refund previously issued TransCap revenue bonds that were issued with legislative approval.

Part K eliminates the legislative authorization requirement with respect to GARVEE bonds that are issued to refund previously issued GARVEE bonds that were issued with legislative approval.

Part L requires the State Controller to carry forward up to \$200,000 of any unexpended balance in All Other, Capital Expenditures and Unallocated line categories on June 30, 2015 in the Department of the Secretary of State, Administration - Motor Vehicles program, Highway Fund account to fiscal year 2015-16 to be expended for building repairs and maintenance to the main office of the Department of the Secretary of State in Augusta.

### **Enacted Law Summary**

Public Law 2015, chapter 268 does the following.

Part A provides for the necessary expenditures of State Government and other purposes for the fiscal years ending June 30, 2016 and June 30, 2017.

Part B allows the Maine Municipal Bond Bank to issue from time to time up to \$50,000,000 of GARVEE bonds for highway and bridge needs.

Part C requires the State Controller to transfer at the close of fiscal years 2015-16 and 2016-17 amounts exceeding \$100,000 from the unallocated balance in the Highway Fund, after all commitments, to the Highway and Bridge Capital, Highway Light Capital and Maintenance and Operations programs within the Department of Transportation for capital or all other needs.

Part D authorizes the Commissioner of Transportation to transfer Highway Fund Personal Services balances available at the end of each fiscal year of the biennium to the Department of Transportation, Highway and Bridge Capital, Highway Light Capital and Maintenance and Operations programs for capital or all other needs. The funds may be allocated by financial order upon the recommendation of the State Budget Officer and the approval of the Governor.

*Joint Standing Committee on Transportation*

Part E requires the State Controller to transfer \$5,710,148 in fiscal year 2015-16 and \$5,696,863 in fiscal year 2016-17 from the unallocated surplus of the Highway Fund to the TransCap Trust Fund.

Part F allows TransCap Trust Fund grants and loans to be authorized for capital projects with an anticipated useful life of five years.

Part G authorizes the Department of Administrative and Financial Services, on behalf of the Department of Public Safety, to enter into financing arrangements in fiscal years 2015-16 and 2016-17 for the acquisition of motor vehicles for the State Police.

Part H recognizes an increase in the attrition rate to three percent for the 2016-2017 biennium for judicial branch and executive branch departments and agencies.

Part I establishes a new internal service fund, the Industrial Drive Facility Fund account in the Department of Transportation, for the purposes of purchasing, operating, maintaining, improving and repairing the department's facility located on Industrial Drive in Augusta.

Part J eliminates the legislative review and approval requirement with respect to TransCap revenue bonds that are issued to refund previously issued TransCap revenue bonds that were issued with legislative approval.

Part K eliminates the legislative authorization requirement with respect to GARVEE bonds that are issued to refund previously issued GARVEE bonds that were issued with legislative approval.

Part L requires the State Controller to carry forward up to \$200,000 of any unexpended balance in All Other, Capital Expenditures and Unallocated line categories on June 30, 2015 in the Department of the Secretary of State, Administration - Motor Vehicles program, Highway Fund account to fiscal year 2015-16 to be expended for building repairs and maintenance to the main office of the Department of the Secretary of State in Augusta.

Public Law 2015, chapter 268 was enacted as an emergency measure effective June 30, 2015.

**LD 1104      Resolve, To Exempt Local Fuel Delivery Vehicles from Hours-of-service Restrictions during Winter Months      ONTP**

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

This resolve directs the Department of Public Safety, Bureau of State Police to adopt major substantive rules amending the Maine Motor Carrier Safety Regulations to exempt intrastate motor carriers, vehicles and drivers delivering fuel oil and bulk petroleum products that operate less than 100 air miles from their regular place of business from hours-of-service restrictions annually from December 1st to May 1st.

**LD 1110      An Act To Modernize Road User Fees      CARRIED OVER**

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

This bill, which is a concept draft pursuant to Joint Rule 208, proposes to modernize current state road user fee funding mechanisms to promote equity and sustainability and to yield the predictable funding levels needed to

*Joint Standing Committee on Transportation*

support a safe and reliable highway and bridge system that supports economic opportunity.

In order to attain these goals, the bill proposes to require some or all of the following:

1. A review and revision, if necessary, of the funding levels, including any anticipated shortfalls, necessary to achieve the highway and bridge capital goals enumerated in the Maine Revised Statutes, Title 23, section 73, subsection 7, paragraphs A to D;
2. A mechanism to address the erosion of Highway Fund receipts that is caused in part by higher automobile fuel efficiency such as registration fee surcharges on electric or hybrid cars or the establishment of a voluntary vehicle miles traveled program that allows a user to self-report the miles traveled and pay a tax based on those miles;
3. A method of placing a more equitable share of the costs of the highway system on nonresidents such as reducing baseline fuel tax rates and adding a seasonal gasoline tax surcharge or imposing seasonal electronic tolling;
4. Reducing baseline fuel tax rates and adding a wholesale tax component;
5. Fuel tax surcharges that are tied to fuel prices or federal fuel taxes and that would be reduced or eliminated as fuel prices or the federal tax increases; and
6. The dedication of a portion of sales tax receipts from sales of transportation-related products, such as vehicles and tires, for transportation needs.

This bill was carried over to any special or regular session of the 127th Legislature by joint order, H.P. 992.

**LD 1122      An Act Regarding the Use of Vehicles on Monhegan Island      ONTP**

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

This bill allows the Monhegan Island Plantation Board of Assessors to regulate the use of motor vehicles on roads on Monhegan Island. Any regulation of motor vehicles must be approved by the voters of Monhegan Island Plantation.

**LD 1133      An Act To Require Snow and Ice To Be Removed from Vehicles before Operation      ONTP**

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

This bill prohibits a person from operating a motor vehicle at 40 miles per hour or more on a public way without clearing the motor vehicle of solid precipitation. Operating a motor vehicle under such circumstances is a traffic infraction subject to a \$250 fine for a first offense and \$500 for a second or subsequent offense.

*Joint Standing Committee on Transportation*

**LD 1172    Resolve, Regarding Legislative Review of Rules for Permitting Overlimit Commercial Motor Vehicles of Specified Configurations To Travel Designated Routes, a Late-filed Major Substantive Rule of the Department of Transportation**

**RESOLVE 21  
EMERGENCY**

<u>Sponsor(s)</u>	<u>Committee Report</u>	<u>Amendments Adopted</u>
	OTP-AM	H-149

This resolve provides for legislative review of Rules for Permitting Overlimit Commercial Motor Vehicles of Specified Configurations To Travel Designated Routes, a major substantive rule of the Department of Transportation that was filed outside the legislative rule acceptance period.

**Committee Amendment "A" (H-149)**

This amendment requires the Department of Transportation to make additional changes to Rules for Permitting Overlimit Commercial Motor Vehicles of Specified Configurations To Travel Designated Routes, a major substantive rule of the department, before final adoption is authorized. It requires the department to provide that B-train double configurations are allowed on designated routes, contingent upon passage into law of changes allowing B-train double configuration to be used on those routes.

**Enacted Law Summary**

Resolve 2015, chapter 21 requires the Department of Transportation to make additional changes to Rules for Permitting Overlimit Commercial Motor Vehicles of Specified Configurations To Travel Designated Routes, a major substantive rule of the department, before final adoption is authorized. It requires the department to provide that B-train double configurations are allowed on designated routes, contingent upon passage into law of changes allowing B-train double configuration to be used on those routes.

See also LD 554.

Resolve 2015, chapter 21 was finally passed as an emergency measure effective June 9, 2015.

**LD 1174    Resolve, To Study the Feasibility and Cost of Providing Passenger Rail Service to the City of Bangor**

**Died Between  
Houses**

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

This resolve directs the Department of Transportation to study providing passenger rail service to the City of Bangor.

**Committee Amendment "A" (H-134)**

This amendment, which is the minority report of the committee, adds an appropriations and allocations section to the resolve.

*Joint Standing Committee on Transportation*

LD 1175 An Act To Amend Maine's Motor Vehicle Statutes

PUBLIC 176

Sponsor(s)

PARRY

Committee Report

OTP-AM

Amendments Adopted

H-191

This bill:

1. Makes texting and handheld mobile telephone use while driving a traffic infraction for the purposes of Maine's commercial motor vehicle motor safety laws;
2. Makes a violation of federal regulations regarding rest breaks, logbook information and filing of drivers' records of duty status a traffic infraction for the purposes of Maine's commercial motor vehicle motor safety laws;
3. Requires vehicles operated in Maine to be equipped with brake lights;
4. Restricts persons operating motor vehicles from being able to view a television, screen or other device capable of receiving or showing visual content. For the purposes of the provision, "visual content" includes, but is not limited to, television broadcasts, recorded video and video streamed through electronic or other means. "Visual content" does not include content displayed on a device that was installed for the effective or safe operation of a motor vehicle or on a device used for global positioning or navigation;
5. Repeals the provision of law prohibiting persons from riding in a trailer that is being towed; and
6. Prohibits persons from attaching or displaying on a vehicle registration plate a registration validation device issued for another vehicle.

**Committee Amendment "A" (H-191)**

This amendment:

1. Modifies the provision of the bill regarding brake lights by requiring that all factory-installed brake lights must be operational and meet certain standards;
2. Replaces the provision of the bill that prohibits a person from operating a motor vehicle if certain video equipment is visible to the operator. The amendment clarifies that video equipment relating to operation of the vehicle and video equipment used by law enforcement and emergency personnel may be visible to the vehicle operator; and
3. Removes the provision of the bill that repeals a law prohibiting persons from riding in a towed vehicle or trailer. It instead removes the prohibition on a person riding in a vehicle being towed by a wrecker or by a motor vehicle using a tow bar but preserves other prohibitions in current law.

**Enacted Law Summary**

Public Law 2015, chapter 176:

1. Makes texting and handheld mobile telephone use while driving a traffic infraction for the purposes of Maine's commercial motor vehicle motor safety laws;
2. Makes a violation of federal regulations regarding rest breaks, logbook information and filing of drivers' records of duty status a traffic infraction for the purposes of Maine's commercial motor vehicle motor safety laws;

*Joint Standing Committee on Transportation*

3. Requires that all factory-installed brake lights on a motor vehicle, trailer or semitrailer must be present and operating properly and meet certain standards;
4. Provides that a person may not operate a motor vehicle in which there is a television viewer, screen or other video device, other than an allowable device, that is receiving or showing video content visible to the operator. For the purposes of the provision, "visual content" includes, but is not limited to, television broadcasts, recorded video and video streamed through electronic or other means. "Visual content" does not include content displayed on a device that was installed for the effective or safe operation of a motor vehicle or on a device used for global positioning or navigation. The law also clarifies that video equipment relating to operation of the vehicle and video equipment used by law enforcement and emergency personnel may be visible to the vehicle operator; and
5. Allows a person to ride in a vehicle being towed by a wrecker or by a motor vehicle using a tow bar; and
6. Prohibits persons from attaching or displaying on a vehicle registration plate a registration validation device issued for another vehicle.

**LD 1273      Resolve, To Create a License Plate To Recognize the Bicentennial of the State**

**RESOLVE 23**

<u>Sponsor(s)</u>	<u>Committee Report</u>	<u>Amendments Adopted</u>
MASON	OTP-AM	S-99

This resolve creates a commemorative simulated motor vehicle registration plate in celebration of Maine's bicentennial. The Secretary of State is directed to design and issue the plate, which may be displayed beginning January 1, 2018 to December 31, 2020 covering the front registration plate. Revenue generated by the sale of the plate in excess of the cost of production and issuance will be given to the Maine Historic Preservation Commission.

**Committee Amendment "A" (S-99)**

This amendment provides that \$16 of the \$25 fee for the State of Maine Bicentennial commemorative plate goes to the Maine State Cultural Affairs Council rather than the Maine Historic Preservation Commission.

**Enacted Law Summary**

Resolve 2015, chapter 23 creates a commemorative simulated motor vehicle registration plate in celebration of Maine's bicentennial. The Secretary of State is directed to design and issue the plate, which may be displayed beginning January 1, 2018 to December 31, 2020 covering the front registration plate. The resolve provides that \$16 of the \$25 fee for the State of Maine Bicentennial commemorative plate goes to the Maine State Cultural Affairs Council.

**LD 1301      An Act To Improve the Safety of Vulnerable Users in Traffic and To Clarify the Responsibilities of Bicyclists and Pedestrians**

**PUBLIC 164**

<u>Sponsor(s)</u>	<u>Committee Report</u>	<u>Amendments Adopted</u>
VOLK RYKERSON	OTP-AM	S-177

This bill amends the motor vehicle laws as follows.

1. It creates a vulnerable user law to protect people on public ways who are not in motor vehicles. A "vulnerable user" is defined as a pedestrian, a person performing emergency work or a person riding or using a nonmotorized

## *Joint Standing Committee on Transportation*

device or certain motorized devices such as a motorcycle, scooter, Segway or electric personal assistive mobility device. A motorist who assaults, attempts to assault, taunts or distracts a vulnerable user, because that person is a vulnerable user, commits a traffic infraction and is subject to the same penalties as a person who texts while operating a motor vehicle.

2. It requires a driver education course to contain at least 30 minutes of instruction to impart the understanding and skills necessary to operate a motor vehicle safely in a situation in which a vulnerable user is sharing the road with that motor vehicle.

3. It amends the law regarding pedestrians in crosswalks to require a motor vehicle to stop and remain stopped when a pedestrian or an extension of a pedestrian is in the lane, including a bicycle lane, in which the motor vehicle is traveling or a lane adjacent to that lane. Nonmotorized traffic is required to yield to such a pedestrian.

4. It specifies that a person riding a bicycle is required to obey traffic control devices such as lights, stop signs and yield signs.

5. It clarifies the law regarding travel down one-way streets to allow travel against the direction indicated when directed by a law enforcement officer or traffic control device.

6. It specifies that a person riding a bicycle or scooter or operating on roller skis has the same rights and duties as a person operating a motor vehicle pursuant to the Maine Revised Statutes, Title 29-A, chapter 19, which deals with the operation of a vehicle, except for laws that expressly apply to bicycles, scooters and roller skis or the law expressly only applies to motor vehicles.

7. It expands the provisions of law for which a violation by a person over 17 years of age riding a bicycle or scooter or operating on roller skis is a traffic infraction.

8. It specifies that the operator of a motor vehicle passing a bicyclist or roller skier proceeding in the same direction must exercise due care by taking into consideration the speed of the motor vehicle and other conditions and leaving a reasonable and proper distance between the motor vehicle and the bicycle or roller skier, but not less than 3 feet, while the motor vehicle is passing the bicycle or roller skier.

### **Committee Amendment "A" (S-177)**

This amendment is the majority report of the Joint Standing Committee on Transportation. The amendment does the following.

1. It changes the definition of "vulnerable user" in the bill to remove motorcycles and to clarify that "vulnerable user" includes persons who are more vulnerable to injury than those in an automobile, truck or similar motor vehicle.

2. Like the bill, it requires that driver education courses include instruction regarding sharing the road with a vulnerable user, but the amendment eliminates the requirement in the bill that instruction include at least 30 minutes.

3. It strikes from the bill the provisions regarding pedestrians in crosswalks and instead adds new language to existing statute to specify that operators must yield the right-of-way to pedestrians who have shown visible intent to enter the marked crosswalk.

4. It retains provisions in the bill regarding responsibilities of bicyclists that are like responsibilities of motor vehicle operators but consolidates most of these provisions in the Maine Revised Statutes, Title 29-A, section 2063, which addresses the rights and duties of bicyclists.

*Joint Standing Committee on Transportation*

5. It strikes all proposed new prohibitions and penalties regarding vulnerable users, as the conduct and penalties are covered by current law in Titles 17-A and 29-A.

**Enacted Law Summary**

Public Law 2015, chapter 164:

1. Creates a vulnerable user law to protect people on public ways who are not in motor vehicles. A "vulnerable user" included a person who is more vulnerable to injury than a person in an automobile, truck or similar motor vehicle. A motorist who assaults, attempts to assault, taunts or distracts a vulnerable user, because that person is a vulnerable user, commits a traffic infraction and is subject to the same penalties as a person who texts while operating a motor vehicle;
2. Requires that driver education courses include instruction regarding sharing the road with vulnerable users;
3. Specifies that operators must yield the right-of-way to pedestrians who have shown visible intent to enter the marked crosswalk; and
4. Specifies that the responsibilities of bicyclists are like responsibilities of motor vehicle operators, but consolidates most of these provisions in the Maine Revised Statutes, Title 29-A, section 2063, which addresses the rights and duties of bicyclists.

**LD 1308    An Act To Eliminate the Requirement That Truck Campers Be Registered**

**Died Between Houses**

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

This bill repeals the requirement that truck campers be registered.

**LD 1320    An Act To Amend the Laws Relating to Motor Vehicles**

**PUBLIC 206**

<u>Sponsor(s)</u>	<u>Committee Report</u>	<u>Amendments Adopted</u>
MCLEAN ROSEN	OTP-AM	H-224

This bill amends the motor vehicle laws to:

1. Increase the gross weight requirements for pickup trucks from 6,000 pounds to 10,000 pounds so pickup trucks under 10,001 pounds can be registered with passenger-type plates;
2. Increase the registration fee for antique autos from \$15 to \$30;
3. Discontinue the muffler bypass permit as this permit is obsolete;
4. Clarify that the cancellation fee for all commercial examinations, including a Class C commercial examination, is \$30;

## *Joint Standing Committee on Transportation*

5. Increase the fee for duplicate learner's permits from \$2 to \$5 to support the costs associated with issuance. A federal rule effective July 8, 2015 requires that a commercial driver's license permit be issued with the same security features as a base license. This will require a card-type permit to be issued with the same associated costs for production; and
6. Apply the same requirements of driving time needed in order to be eligible for a special restricted license for educational and employment needs as exists in current law for medical needs.

This bill also makes the operation of a motor vehicle while having a delta-9-tetrahydrocannabinol, or THC, level of five nanograms or more per milliliter of blood a criminal offense, authorizes the Secretary of State to suspend administratively the license of a person who operates a motor vehicle with a THC level of five nanograms or more per milliliter of blood and sanctions the use of approved preliminary breath-testing devices by law enforcement officers in determining whether a person operated a motor vehicle under the influence of intoxicants.

### **Committee Amendment "A" (H-224)**

This amendment strikes from the bill the provisions that apply the same requirements of driving time needed in order to be eligible for a special restricted license for education and employment needs as exists in current law for medical needs.

The amendment revises language in current law that gives the Secretary of State discretion to reject or recall a vanity plate that consists of or comprises language that is obscene, contemptuous, profane or prejudicial and replaces it with language that gives the Secretary of State discretion to reject or recall a vanity plate that consists of language that encourages violence or may result in an act of violence or other unlawful activity because of the content of the language requested by the registrant.

The amendment clarifies that reports made or received in determining whether a person is qualified to be issued a driver's license may be used by the medical personnel treating the person.

The amendment requires that a form created by the Commissioner of Public Safety must be used by scrap metal processors to collect and keep certain information when a scrap metal transaction occurs.

The amendment strikes from the bill provisions that make operation of a motor vehicle while having a delta-9-tetrahydrocannabinol, or THC, level of five nanograms or more per milliliter of blood a criminal offense. The amendment also strikes provisions that authorize the Secretary of State to suspend administratively the license of a person who with a THC level of five nanograms or more per milliliter of blood operates a motor vehicle and that sanction the use of approved preliminary breath test devices by law enforcement officers in determining whether a person operated a motor vehicle while under the influence of intoxicants.

### **Enacted Law Summary**

Public Law 2015, chapter 206:

1. Increases the gross weight requirements for pickup trucks from 6,000 pounds to 10,000 pounds so pickup trucks under 10,001 pounds can be registered with passenger-type plates;
2. Increases the registration fee for antique autos from \$15 to \$30;
3. Discontinues the muffler bypass permit as this permit is obsolete;
4. Clarifies that the cancellation fee for all commercial examinations, including a Class C commercial examination, is \$30;
5. Increases the fee for duplicate learner's permits from \$2 to \$5 to support the costs associated with issuance. A

## *Joint Standing Committee on Transportation*

federal rule effective July 8, 2015 requires that a commercial driver's license permit be issued with the same security features as a base license. This will require a card-type permit to be issued with the same associated costs for production;

6. Gives the Secretary of State discretion to reject or recall a vanity plate that consists of language that encourages violence or may result in an act of violence or other unlawful activity because of the content of the language requested by the registrant;
7. Clarifies that reports made or received in determining whether a person is qualified to be issued a driver's license may be used by the medical personnel treating the person; and
8. Requires that a form created by the Commissioner of Public Safety must be used by scrap metal processors to collect and keep certain information when a scrap metal transaction occurs.

# *Joint Standing Committee on Transportation*

## SUBJECT INDEX

### *Aeronautics*

#### Enacted

LD 527            An Act To Repeal Outdated Agricultural Aviation Laws            PUBLIC 33

### *Bridges*

#### Enacted

LD 1            Resolve, To Name the Route 11 Bridge over the Saco River in Standish and Limington the Veterans Memorial Bridge            RESOLVE 7  
EMERGENCY

LD 66            Resolve, Naming the Bridges That Span the Machias River in Machias the Jeremiah O'Brien Memorial Bridges            RESOLVE 4

### *Driver Education*

#### Enacted

LD 682            An Act To Ensure the Administration of Written Driving Tests            PUBLIC 114

#### Not Enacted

LD 363            An Act Regarding Learner's Permits for Driver's Licenses            ONTP

### *Highway Fund*

#### Enacted

LD 286            An Act Making Supplemental Allocations from the Highway Fund and Other Funds for the Expenditures of State Government Necessary to the Proper Operations of State Government for the Fiscal Year Ending June 30, 2015            PUBLIC 10  
EMERGENCY

LD 1080            An Act Making Unified Appropriations and Allocations for the Expenditures of State Government, Highway Fund and Other Funds and Changing Certain Provisions of the Law Necessary to the Proper Operations of State Government for the Fiscal Years Ending June 30, 2016 and June 30, 2017            PUBLIC 268  
EMERGENCY

#### Not Enacted

LD 505            An Act To Increase the Funding Level of the Local Road Assistance Program            Majority (ONTP)  
Report

LD 706            Resolve, To Establish a Commission To Study Transportation Funding Reform            Died On  
Adjournment

LD 901            An Act To Ensure Sustainable Infrastructure Funding            ONTP

LD 1110 An Act To Modernize Road User Fees CARRIED OVER

**Inspection**

**Not Enacted**

LD 41 An Act To Require the Inspection of Certain Vehicles Used To Transport Members of the General Public ONTP

LD 283 An Act To Require Proof of Insurance for Motor Vehicle Inspection ONTP

LD 348 An Act To Provide for 2-year Motor Vehicle Inspection Stickers ONTP

LD 381 An Act To Change the Motor Vehicle Inspection Requirements To Extend the Time between Inspections ONTP

LD 809 An Act Regarding Motor Vehicle Inspection Program Requirements ONTP

**Marine Transportation**

**Enacted**

LD 198 An Act To Amend the Laws Regarding Noncommercial Foreign Vessels PUBLIC 14

**Miscellaneous - Transportation**

**Enacted**

LD 78 An Act Regarding Limitations on Certain Storm Water Fees PUBLIC 310

**Not Enacted**

LD 247 An Act To Create Corridor Districts for the Purpose of Funding Transportation and Transit Services Veto Sustained

LD 545 An Act To Require That Traffic Lights Default to Flashing Mode between the Hours of Midnight and 6 a.m. ONTP

LD 1122 An Act Regarding the Use of Vehicles on Monhegan Island ONTP

**Motor Carriers**

**Enacted**

LD 143 Resolve, Regarding Legislative Review of Portions of Chapter 4: Maine Motor Carrier Safety Regulation, a Major Substantive Rule of the Department of Public Safety, Bureau of State Police RESOLVE 11 EMERGENCY

LD 515 An Act To Amend the Law Regarding Commercial Learner's Permits PUBLIC 46 EMERGENCY

LD 554 An Act Concerning Commercial Vehicles at Canadian Weight Limits Traveling to Certain Points in the State PUBLIC 119 EMERGENCY

LD 1172	Resolve, Regarding Legislative Review of Rules for Permitting Overlimit Commercial Motor Vehicles of Specified Configurations To Travel Designated Routes, a Late-filed Major Substantive Rule of the Department of Transportation	RESOLVE 21 EMERGENCY
---------	--	-------------------------

**Not Enacted**

LD 227	An Act To Remove Barriers to Job Opportunities for Young Truck Drivers	CARRIED OVER
LD 293	Resolve, To Require the Department of Transportation To Establish a Working Group To Examine Weight Limits for Tractor-trailers with Different Axle Spacings	ONTP
LD 308	An Act To Cap Fines Imposed for Certain Motor Carrier Violations	Majority (ONTP) Report
LD 1104	Resolve, To Exempt Local Fuel Delivery Vehicles from Hours-of-service Restrictions during Winter Months	ONTP

**Motor Vehicles**

**Enacted**

LD 37	An Act Regarding Emergency Lights on a Vehicle Used by a Member of a Municipal or Volunteer Fire or Emergency Medical Services Department	PUBLIC 31
LD 284	An Act To Amend the Law Concerning Overwidth Farm Tractors on Public Ways	PUBLIC 303
LD 520	An Act To Amend the Requirement for a Certificate of Title for Junk and Scrap Automobiles and Vehicles	PUBLIC 88 EMERGENCY
LD 1320	An Act To Amend the Laws Relating to Motor Vehicles	PUBLIC 206

**Not Enacted**

LD 14	An Act Regarding the Registration of an Antique Motor Vehicle That Is the Owner's Sole Vehicle	ONTP
LD 73	An Act To Increase Weight Allowances for Farm Trucks	ONTP
LD 591	An Act To Allow Municipal and Volunteer Firefighters To Operate Motor Vehicles as Authorized Emergency Vehicles	ONTP
LD 687	An Act To Expand Classification Categories for Motor Vehicles in the State	CARRIED OVER

**Operator's License**

**Enacted**

LD 214	An Act To Stay Certain Suspensions Imposed by the Secretary of State Pending Appeal	PUBLIC 13
LD 737	An Act To Amend the Laws Regarding Learner's Permits and Intermediate Licenses	PUBLIC 113

**Not Enacted**

LD 34	An Act To Address Suspension of an Operator's License for Negligent Operation Causing the Death of Another Person	Majority (ONTP) Report
LD 272	An Act To Amend the Law Regarding Juvenile Provisional Licenses To Foster Military Service	Died Between Houses
LD 333	An Act To Help Veterans To Receive Benefits	ONTP

**Public Safety**

**Enacted**

LD 390	An Act To Enforce Restrictions in Parking Spaces and Access Aisles Designated for Persons with a Walking Disability	PUBLIC 52
LD 1175	An Act To Amend Maine's Motor Vehicle Statutes	PUBLIC 176

**Public Transportation**

**Enacted**

LD 844	An Act To Improve Transit Services Statewide	PUBLIC 182
--------	--	------------

**Railroads**

**Not Enacted**

LD 323	Resolve, To Provide Funding to the Department of Transportation To Complete a Service Plan for the Development of Passenger Rail Service to Lewiston and Auburn	Died On Adjournment
LD 439	An Act To Prohibit Excessive Idling of Passenger Trains	ONTP
LD 615	An Act Regarding Transparency in the Transportation of Hazardous Materials	ONTP
LD 1174	Resolve, To Study the Feasibility and Cost of Providing Passenger Rail Service to the City of Bangor	Died Between Houses

**Registration Plates**

**Enacted**

LD 173	An Act To Amend the Laws Governing the Gold Star Family Registration Plate	PUBLIC 17
LD 260	Resolve, To Create a License Plate To Recognize the Centennial of the United States Navy Reserve	RESOLVE 43 EMERGENCY
LD 1273	Resolve, To Create a License Plate To Recognize the Bicentennial of the State	RESOLVE 23

**Not Enacted**

LD 50	An Act To Authorize up to 2 Free Sets of License Plates for 100 Percent Disabled Veterans	Died On Adjournment
LD 171	An Act To Provide a License Plate Decal for Emergency Medical Services Providers	ONTP

LD 1308	An Act To Eliminate the Requirement That Truck Campers Be Registered	Died Between Houses
---------	--	---------------------

### *School Buses*

#### Not Enacted

LD 543	An Act To Amend the Laws Governing the Use of Flashing Lights by School Buses	ONTP
--------	---	------

### *Secretary of State*

#### Not Enacted

LD 528	An Act To Amend the Laws Regarding the Maine Organ and Tissue Donation Fund	Veto Sustained
LD 544	An Act To Assist Maine Veterans and Service Members	ONTP
LD 982	An Act Requiring a Permit and Motor Vehicle Liability Insurance for Transportation Network Companies	ONTP

### *Signs*

#### Not Enacted

LD 32	An Act To Amend the Laws Regarding Signs on Interstate Highways in Maine	ONTP
LD 262	Resolve, Directing the Department of Transportation and the Maine Turnpike Authority To Erect Highway Signs for Thornton Academy	ONTP
LD 287	An Act To Improve Traffic Safety during Political Campaign Seasons	CARRIED OVER
LD 410	Resolve, To Direct the Department of Transportation To Require the Word "Danger" on All Road Signs That Warn of Moose	ONTP

### *Traffic Regulations*

#### Enacted

LD 196	An Act To Ensure the Safety of Public Service Vehicles	PUBLIC 32
LD 288	An Act To Amend the Requirement of When Headlights Must Be Used	PUBLIC 51
LD 529	An Act To Amend the Law Concerning Motor Vehicles at Railroad Crossings	PUBLIC 89
LD 1301	An Act To Improve the Safety of Vulnerable Users in Traffic and To Clarify the Responsibilities of Bicyclists and Pedestrians	PUBLIC 164

#### Not Enacted

LD 28	An Act To Return Fifty Percent of the Fine for a Violation of the Motor Vehicle Laws to the Municipality in Which the Violation Occurred	ONTP
LD 31	An Act To Require Horse-drawn Carriages and Wagons To Be Equipped with Reflectors	ONTP

LD 112	An Act To Eliminate the Requirement That Adults Wear Seat Belts	ONTP
LD 185	An Act To Prohibit the Use of a Mobile Telephone When Operating a Motor Vehicle Except in Hands-free Mode	Died Between Houses
LD 246	An Act To Prohibit the Handling of a Mobile Telephone While Operating a Motor Vehicle	ONTP
LD 345	An Act To Require Motorists To Move to a Nonadjacent Lane or Slow Down for Certain Stationary Vehicles	ONTP
LD 371	An Act To Enhance Safety for Highway Maintenance Vehicles	ONTP
LD 634	An Act To Allow Operation of Modified Utility Vehicles on a Public Way	ONTP
LD 788	An Act To Improve the Health of Maine Citizens and Safety of Pedestrians	Veto Sustained
LD 902	Resolve, To Establish the Commission To Study Parking for Persons with Physical Disabilities	Died On Adjournment
LD 903	An Act To Allow in Certain Circumstances Two-wheeled Vehicles To Proceed through Red Lights and Make Right Turns on Red in Contravention of Posted Prohibitions	ONTP
LD 1025	An Act To Require Motorized Scooters To Be Equipped with Flags	ONTP
LD 1133	An Act To Require Snow and Ice To Be Removed from Vehicles before Operation	ONTP

### **Transportation Department**

#### **Enacted**

LD 55	Resolve, To Direct the Department of Transportation To Name the Interstate 95 Rest Area in Hampden the Joshua Lawrence Chamberlain Rest Area	RESOLVE 3
LD 115	Resolve, To Name Interstate 295 from Scarborough to West Gardiner the Richard A. Coleman Highway	RESOLVE 8
LD 707	An Act To Correct an Error in the Law That Allows a Break in Control of Access on William L. Clarke Drive in the City of Westbrook	P & S 3 EMERGENCY

#### **Not Enacted**

LD 47	Resolve, Directing the Department of Transportation To Remove One of the Proposed Routes from Consideration for the Interstate 395 and Route 9 Connector	Majority (ONTP) Report
LD 285	Resolve, Directing the Department of Transportation To Install a Traffic Light in the Town of Prospect	ONTP
LD 411	Resolve, Regarding Engineering for Route 161	ONTP
LD 437	An Act To Ensure the Responsibility of the Department of Transportation for a Portion of U.S. Route 1 in York and for the U.S. Route 1 Bypass in Kittery	ONTP

LD 506	An Act To Improve Public-private Transportation Partnerships	ONTP
LD 645	An Act To Create a Transportation Planning Incentive for Communities Located on Peninsulas	ONTP
LD 676	Resolve, Directing the Department of Transportation To Study the Use of Calcium Chloride on Roads and Its Effect on Vehicles	ONTP
LD 845	An Act To Address Unmet Public Transportation Needs	CARRIED OVER

### *Turnpike Authority*

**Enacted**

LD 223	An Act To Eliminate Outdated Provisions of the Laws Governing the Maine Turnpike Authority	PUBLIC 5
LD 228	An Act To Make Allocations from Maine Turnpike Authority Funds for the Maine Turnpike Authority for the Calendar Year Ending December 31, 2016	P & S 1
LD 987	An Act To Suspend the Right of an Out-of-state Toll Violator To Operate a Motor Vehicle on Maine Roads	PUBLIC 159

**Not Enacted**

LD 172	An Act To Allow Gold Star Parents Who Are Maine Residents To Use the Maine Turnpike at No Charge	ONTP
LD 269	An Act To Require the Maine Turnpike Authority To Consider Certain Third-party Studies and Municipal Recommendations in Its Decision-making Process	ONTP
LD 789	An Act To Require That Projects Undertaken by the Maine Turnpike Authority Have an Anticipated Useful Life of at Least 15 Years	ONTP



STATE OF MAINE  
127<sup>TH</sup> LEGISLATURE  
FIRST REGULAR SESSION



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

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

August 2015

**STAFF:**

DANIELLE FOX, LEGISLATIVE ANALYST  
DANIEL TARTAKOFF, LEGISLATIVE ANALYST  
OFFICE OF POLICY AND LEGAL ANALYSIS  
13 STATE HOUSE STATION  
AUGUSTA, ME 04333  
(207) 287-1670

**MEMBERS:**

SEN. SCOTT W. CYRWAY, CHAIR  
SEN. RONALD F. COLLINS  
SEN. JOHN L. PATRICK

REP. LOUIS J. LUCHINI, CHAIR  
REP. THOMAS R. W. LONGSTAFF  
REP. ROBERT J. SAUCIER  
REP. JOHN C. SCHNECK  
REP. KIMBERLY J. MONAGHAN  
REP. JARED F. GOLDEN  
REP. JONATHAN L. KINNEY  
REP. BETH P. TURNER  
REP. KATHLEEN R. J. DILLINGHAM  
REP. SHELDON MARK HANINGTON  
REP. HENRY JOHN BEAR

*Joint Standing Committee on Veterans and Legal Affairs*

**LD 15      An Act To Increase Transparency in Campaign Funding in Legislative Elections      ONTP**

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

This bill requires the Commission on Governmental Ethics and Election Practices to provide campaign finance information for legislative elections on a publicly accessible website, including all contributions and independent expenditures used to support or oppose a candidate, sorted by candidate and district.

**LD 33      An Act To Strengthen the Maine Clean Election Act, Improve Disclosure and Make Other Changes to the Campaign Finance Laws      INDEF PP**

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

This bill makes the following changes to the laws governing campaign finance reporting and disclosure and the Maine Clean Election Act.

1. It authorizes the establishment of gubernatorial transition committees for the purpose of raising money to finance a Governor-elect's inauguration and transition into office and establishes requirements regarding disclosure and acceptance of donations from persons involved in lobbying.
2. It amends the Maine Clean Election Act by adding a system of optional supplemental funding for participating Maine Clean Election Act candidates who collect additional qualifying contributions.
3. It establishes new baseline initial distribution amounts for Maine Clean Election Act candidates.
4. It authorizes the Commission on Governmental Ethics and Election Practices to impose enhanced penalties for campaign finance violations occurring shortly before election day.
5. It increases the baseline penalties for failure to file required reports.
6. It increases the maximum penalties for certain campaign finance violations.
7. It requires communications that are independent expenditures to include a conspicuous statement listing the top three funders of the entity making the independent expenditure.
8. It increases the amount of the annual transfer to the Maine Clean Election Fund from \$2,000,000 to \$3,000,000.
9. It requires the Commission on Governmental Ethics and Election Practices to report annually on the Maine Clean Election Fund's projected needs, including an operating margin of 20%.
10. It repeals the seed money requirement for gubernatorial candidates.
11. It adjusts the number of qualifying contributions required for initial certification of gubernatorial candidates from 3,250 to 3,200 to correspond to the increments established for supplemental funds distributions.
12. It doubles the seed money cap for legislative candidates.

*Joint Standing Committee on Veterans and Legal Affairs*

13. It provides rule-making authority for the Commission on Governmental Ethics and Election Practices regarding several of the statutory changes.

14. It directs the joint standing committee of the Legislature having jurisdiction over taxation matters to report out legislation to eliminate corporate tax expenditures totaling \$6,000,000 per biennium, prioritizing low-performing tax expenditures.

This bill was not referred to a committee.

**LD 53      An Act To Require Shareholder Consent for Corporate Political Contributions      Accepted Majority (ONTP) Report**

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

This bill requires a majority vote of a corporation's shareholders before the corporation makes a political contribution or expenditure and requires that once the contribution or expenditure has been made, the corporation posts notice of the contribution or expenditure on its website. The bill disallows a corporation that has over half of its shares owned by one or more institutional investors who cannot hold public office, such as a pension fund or a for-profit or nonprofit corporation, from making any political contributions or expenditures. The bill also allows a shareholder who disagrees with a corporation's political contribution or expenditure to receive from the corporation upon request a rebate of a percentage of the political contribution or expenditure equal to the percentage of ownership the shareholder has in the corporation.

**LD 74      Resolve, To Require the Director of the Bureau of Maine Veterans' Services To Make Recommendations To Ensure Equity in the Benefits Provided to Military Service Members      RESOLVE 19**

<u>Sponsor(s)</u>	<u>Committee Report</u>	<u>Amendments Adopted</u>
HANINGTON	OTP-AM	H-168

This resolve establishes the Task Force to Ensure Equity in the Benefits Provided to Military Service Members in the State. The task force is directed to study and find out if there is equity in the establishment, provision and application of the benefits and if the benefits are known to those eligible to receive them. The benefits include, but are not limited to, property tax exemptions, free automobile registration, automobile sales tax exemption, complimentary and reduced-rate licenses to hunt, trap and fish and day use passes to state parks and historic sites. The task force is also directed to submit a report to the Joint Standing Committee on Veterans and Legal Affairs, and the joint standing committee is authorized to introduce a bill to the Second Regular Session of the 127th Legislature based on that report.

**Committee Amendment "A" (H-168)**

This amendment replaces the resolve. It requires the Director of the Bureau of Maine Veterans' Services to provide recommendations to the Joint Standing Committee on Veterans and Legal Affairs regarding streamlining the criteria for the delivery and administration of state-established services and benefits to veterans and military service members in the State. It authorizes the Joint Standing Committee on Veterans and Legal Affairs to introduce a bill to the Second Regular Session of the 127th Legislature regarding the recommendations.

*Joint Standing Committee on Veterans and Legal Affairs*

**Enacted Law Summary**

Resolve 2015, chapter 19 requires the Director of the Bureau of Maine Veterans' Services to provide recommendations to the Joint Standing Committee on Veterans and Legal Affairs regarding streamlining the criteria for the delivery and administration of state-established services and benefits to veterans and military service members in the State. It authorizes the Joint Standing Committee on Veterans and Legal Affairs to introduce a bill to the Second Regular Session of the 127th Legislature regarding the recommendations.

**LD 102      An Act To Strengthen the Craft Beer Industry**

**PUBLIC 15**

<u>Sponsor(s)</u>	<u>Committee Report</u>	<u>Amendments Adopted</u>
ALFOND SCHNECK	OTP-AM	S-8

Current law allows a person licensed to manufacture malt liquor to host one tenant brewer at that person's manufacturing facility. This bill amends that law to allow for up to nine tenant brewers per host at a manufacturing facility.

**Committee Amendment "A" (S-8)**

This amendment clarifies that the limit on the number of tenant brewers is nine tenant brewers per host brewer facility at any one time.

**Enacted Law Summary**

Public Law 2015, chapter 15 allows a person licensed to manufacture malt liquor to host up to nine tenant brewers at that person's manufacturing facility.

**LD 104      An Act To Increase Gaming Opportunities for Charitable Veterans' Organizations**

**Leave to Withdraw Pursuant to Joint Rule**

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

This bill permits the Department of Public Safety, Gambling Control Board, beginning January 1, 2016, to issue a license to a charitable nonprofit organization that is a veterans' organization that is tax-exempt under the United States Internal Revenue Code of 1986 to operate up to three slot machines on premises that have been owned, rented or leased by the organization for at least two consecutive years, that serve as its primary administrative operations headquarters and that are located in a municipality that has, by referendum of the voters, approved the operation of slot machines in that municipality. The charitable nonprofit veterans' organization must be able to demonstrate that it has a cash reserve of \$1,000 for each machine the organization intends to operate.

A charitable nonprofit veterans' organization that wishes to apply prior to January 1, 2016 may file a declaration of intent to apply with the Gambling Control Board. An application must include a refundable \$2,500 deposit. The initial application fee for a slot machine operator license is \$500, and the annual renewal fee is \$175.

A slot machine operated by a charitable nonprofit veterans' organization is subject to the same central site monitoring that applies to casinos and slot machine facilities at harness racing tracks. The total number of slot machines allowed to be operated by charitable nonprofit veterans' organizations statewide between January 1, 2016

*Joint Standing Committee on Veterans and Legal Affairs*

and December 31, 2016 is 80; beginning January 1, 2017 the number increases to 150.

The bill provides that 10% of the net slot machine income from a charitable nonprofit veterans' organization is required to be deposited directly with the Gambling Control Board for administrative expenses; 8% goes directly to the General Fund; 10% goes to the host municipality; and 2% is dedicated to gambling addiction prevention and treatment. A charitable nonprofit veterans' organization that is licensed to operate slot machines is required to establish a separate account, from which the board may withdraw funds to distribute the net revenue percentages. The remaining revenue generated from the slot machines must be used to support the charitable purposes of the veterans' organization.

**LD 122      An Act To Standardize Pints of Beer Sold in Maine      Veto Sustained**

<u>Sponsor(s)</u>	<u>Committee Report</u>	<u>Amendments Adopted</u>
PATRICK GOODE	OTP-AM ONTP	S-7

This bill requires that if an on-premises retail liquor licensee sells or offers for sale a pint of malt liquor, the container it comes in must have a capacity of at least 16 fluid ounces.

**Committee Amendment "A" (S-7)**

This amendment, which is the majority report of the committee, makes a technical change to the bill by placing it in the section of statute that applies to on-premises licensees specifically. It also clarifies that the requirement to have a container that holds 16 fluid ounces applies when the licensee represents in written form to patrons that the licensee sells malt liquor by the pint.

**LD 145      An Act To Amend the Verification and Certification Process for Direct Initiatives and People's Veto Referenda      ONTP**

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

This bill removes the duty of verifying and certifying petitions in direct initiatives of legislation and people's veto referenda from municipal clerks and registrars and instead requires the Secretary of State to verify and certify all petitions. The Secretary of State is also required to send a random sampling of 10% of the petitions back to the municipalities to review for accuracy for audit purposes. The bill also creates three positions in the Secretary of State's office to assist in the verification and certification process for petitions in direct initiatives and people's veto referenda.

**LD 174      An Act To Amend the Maine Clean Election Act Regarding Candidate Participation in Political Action Committees      PUBLIC 116**

<u>Sponsor(s)</u>	<u>Committee Report</u>	<u>Amendments Adopted</u>
PARRY VALENTINO	OTP-AM	H-147

This bill prohibits a Maine Clean Election Act candidate from establishing or participating in the activities of a political action committee for which the candidate is a principal officer, fund-raiser or decision maker. This prohibition also applies to the 12 months preceding certification as a Maine Clean Election Act candidate.

## *Joint Standing Committee on Veterans and Legal Affairs*

### **Committee Amendment "A" (H-147)**

This amendment replaces the bill. The amendment prohibits a Maine Clean Election Act candidate, as part of the terms of participation in the act, from establishing a political action committee for which the candidate is a treasurer or principal officer or for which the candidate is primarily responsible for fund-raising or decision making. This prohibition applies beginning with the election cycle beginning in 2016. For the purpose of this prohibition, an election cycle begins on April 1st immediately preceding the general election and ends on January 1st immediately preceding the next general election.

### **Enacted Law Summary**

Public Law 2015, chapter 116 prohibits a Maine Clean Election Act candidate, as part of the terms of participation in the act, from establishing a political action committee for which the candidate is a treasurer or principal officer or for which the candidate is primarily responsible for fund-raising or decision making. This prohibition applies beginning with the election cycle beginning in 2016. For the purpose of this prohibition, an election cycle begins on April 1st immediately preceding the general election and ends on January 1st immediately preceding the next general election.

**LD 175      An Act To Limit Maine Clean Election Act Funding to First-time Candidates      ONTP**

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

This bill limits participating candidates under the Maine Clean Election Act to first-time candidates for Governor, State Senator or State Representative.

**LD 176      An Act To Amend the Law Governing the Gathering of Signatures for Direct Initiatives and People's Veto Referenda      PUBLIC 99 EMERGENCY**

<u>Sponsor(s)</u>	<u>Committee Report</u>	<u>Amendments Adopted</u>
SHORT CUSHING	OTP-AM	H-98

This bill prohibits persons who are not residents of the State from collecting signatures on a petition for the direct initiative of legislation or a people's veto referendum and from handling such a petition in any manner. The bill permits persons who are not residents to provide others with information about a petition. The bill requires a person employed by a petition organization to register with the Commission on Governmental Ethics and Election Practices and to disclose to the commission information regarding the person's place of residence, employment history, compensation, number of signatures gathered in a month and petitions circulated and to wear an identification badge when collecting signatures. The bill requires a petition organization to post a \$2,000 bond on a circulator receiving over \$2,500 in compensation. The bill makes a violation of any of these provisions a Class E crime.

### **Committee Amendment "A" (H-98)**

This amendment replaces the bill, which imposes limitations and residency restrictions on circulators of petitions. The amendment clarifies the law regarding the solicitation of signatures for a direct initiative or a people's veto referendum. It also requires a petition organization that receives compensation for working on a signature-gathering effort to submit to the Secretary of State as part of the organization's registration process a list containing the names of those hired by the organization, which must be updated when the petitions are ultimately filed with the Secretary of State.

*Joint Standing Committee on Veterans and Legal Affairs*

**Enacted Law Summary**

Public Law 2015, chapter 99 clarifies the law regarding the solicitation of signatures for a direct initiative or a people's veto referendum. It also requires a petition organization that receives compensation for working on a signature-gathering effort to submit to the Secretary of State as part of the organization's registration process a list containing the names of those hired by the organization, which must be updated when the petitions are ultimately filed with the Secretary of State.

Public Law 2015, chapter 99 was enacted as an emergency measure effective May 24, 2015.

**LD 184      An Act To Reimburse Philip Wolley for Litigation Expenses Incurred in Connection with His Termination and Reinstatement as a State Employee      ONTP**

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

This bill makes a one-time General Fund appropriation of \$28,000 in fiscal year 2015-16 to reimburse Philip Wolley for litigation expenses incurred in connection with his termination and subsequent reinstatement as a state employee.

**LD 189      An Act To Prohibit Undisclosed Political Spending      ONTP**

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

This bill requires nonprofit entities to disclose their donors from the previous two calendar years when making a contribution to a registered Maine party committee, registered Maine political action committee or out-of-state political action committee making expenditures to influence an election in Maine.

**LD 197      An Act To Strengthen Maine's Election Laws by Requiring Photographic Identification for the Purpose of Voting      Died Between Houses**

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

This bill requires that a voter provide proof of identity with photographic identification for the purpose of voting. The bill specifies the types of photographic identification that may be used to verify the identity of a voter. It provides that a person who does not present photographic identification may cast a provisional ballot and establishes the process for provisional voting. Under this process, if the person can verify the person's identity to the warden or an election clerk within three business days of the election by presenting acceptable photographic identification, the ballot will be cast as a regular ballot. Through the general election of 2016, a person who does not present acceptable photographic identification but is known to a municipal clerk, registrar or election official at the voting place may cast a regular ballot upon submission of an affidavit by the municipal clerk, registrar or election official attesting to the person's identity. Finally, the bill requires the Secretary of State to provide, at no fee, nondriver identification cards to eligible persons who do not have another form of acceptable photographic

*Joint Standing Committee on Veterans and Legal Affairs*

identification to verify identity for the purpose of voting.

**Committee Amendment "A" (S-27)**

This amendment, which is the minority report of the committee, increases from three to five the number of days a voter who voted by provisional ballot has to provide an election clerk with a valid form of photo identification. It clarifies that the photo identification may also be provided to a municipal clerk or a deputy municipal clerk. Finally, the amendment adds a mandate preamble and an appropriations and allocations section to the bill.

**LD 204      An Act To Prohibit Certain Activities by Maine Clean Election Act      ONTP**  
**Candidates**

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

This bill prohibits a certified candidate under the Maine Clean Election Act from establishing a political action committee with the primary purpose of electing that candidate to a position of leadership in the State Senate or House of Representatives for which the candidate is a principal officer, fund-raiser or decision maker.

**LD 225      An Act To Amend the Laws Governing the Collection of Signatures for      ONTP**  
**Referenda**

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

This bill limits the collecting of signatures on petitions for the direct initiative of legislation or a people's veto referendum to persons who have been residents of the State for at least one year.

**LD 270      An Act To Temporarily Reduce the Annual High-stakes Beano Fee from      PUBLIC 24**  
**\$50,000 to \$25,000      EMERGENCY**

<u>Sponsor(s)</u>	<u>Committee Report</u>	<u>Amendments Adopted</u>
MITCHELL	OTP-AM	H-23

This bill sets the fee for a high-stakes beano license, currently \$50,000, at \$12,500.

**Committee Amendment "A" (H-23)**

This amendment strikes the provision in the bill that reduces the annual fee for high-stakes beano from \$50,000 to \$12,500. Existing law states that the annual fee was to be set at \$25,000 from 2008 to 2013. The amendment provides that the fee be set at \$25,000 through 2016. The amendment retains the provision of the bill that makes the change retroactive to apply to the 2014 fee.

**Enacted Law Summary**

Public Law 2015, chapter 24 reduces the annual fee for the operation of high-stakes beano from \$50,000 to \$25,000. This reduction applies to retroactively for 2014 and continues through 2016.

Public Law 2015, chapter 24 was enacted as an emergency measure effective April 16, 2015.

*Joint Standing Committee on Veterans and Legal Affairs*

**LD 298      An Act To Require Political Action Committees To Report the Receipt of Paid Services Received from State Agencies      Veto Sustained**

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

Under current law, when nonprofit corporations or commercial entities compensate their employees to provide services to a political action committee, the committee is required to report the services as a contribution. The bill requires that political action committees also report the receipt of services paid for by state agencies.

**LD 334      An Act To Improve the Maine Clean Election Act      ONTP**

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

This bill prohibits a person certified as a Maine Clean Election Act candidate seeking election to the State Senate or State House of Representatives from establishing a political action committee or serving as a fund-raiser or principal decision maker for a political action committee unless the political action committee is established to provide the person with professional development, networking and educational opportunities related to work that person may perform as a legislator. The bill also sets limits on how much money may be raised for such a political action committee.

**LD 364      An Act To Allow a Sales Representative To Serve Alcoholic Beverages at a Tasting Event      PUBLIC 129 EMERGENCY**

<u>Sponsor(s)</u>	<u>Committee Report</u>	<u>Amendments Adopted</u>
MALABY LANGLEY	OTP-AM ONTP	H-175 H-185    MALABY

This bill repeals the prohibition on a sales representative's pouring or distributing distilled spirits or wine at a tasting event.

**Committee Amendment "A" (H-175)**

This amendment replaces the bill and is the majority report of the committee. The amendment provides that a licensed sales representative may pour samples of spirits, wine or malt liquor at a taste-testing event that has been authorized by the Department of Administrative and Financial Services, Bureau of Alcoholic Beverages and Lottery Operations at an on-premise retail licensee's establishment, an agency liquor store or an off-premise retail licensee's establishment. Under the amendment, when a retailer requests authority to conduct a taste-testing event, the request must indicate whether a licensed sales representative will be participating by pouring samples and verification that the sales representative has successfully completed an alcohol server education course approved by the commissioner.

**House Amendment "A" To Committee Amendment "A" (H-185)**

This amendment adds an emergency preamble and emergency clause to the amendment.

**Enacted Law Summary**

*Joint Standing Committee on Veterans and Legal Affairs*

Public Law 2015, chapter 129 provides that a licensed sales representative may pour samples of spirits, wine or malt liquor at a taste-testing event that has been authorized by the Department of Administrative and Financial Services, Bureau of Alcoholic Beverages and Lottery Operations at an on-premise retail licensee's establishment, an agency liquor store or an off-premise retail licensee's establishment. Under this law, when a retailer requests authority to conduct a taste-testing event, the request must indicate whether a licensed sales representative will be participating by pouring samples and verification that the sales representative has successfully completed an alcohol server education course approved by the commissioner.

Public Law 2015, chapter 129 was enacted as an emergency measure effective May 29, 2015.

**LD 366      An Act Regarding the Sale and Taxation of Hard Cider      ONTP**

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

This bill includes within the definition of "hard cider" liquor produced by fermentation of pears and cranberries or combinations of apples, pears and cranberries.

**LD 370      An Act To Amend the Lobbyist Disclosure Procedures Law      Died On  
Adjournment**

<u>Sponsor(s)</u>	<u>Committee Report</u>	<u>Amendments Adopted</u>
	OTP-AM	S-14

This bill amends the laws governing disclosures made by lobbyists by:

1. Permitting a lobbyist to notify the Commission on Governmental Ethics and Election Practices of the termination of a lobbying relationship rather than requiring notice by the lobbyist's employer;
2. Removing the requirement that state employees must sign annual registration forms in order to facilitate electronic submission of registrations; and
3. Requiring the commission to deposit the entire registration fee paid by lobbyists and lobbyist associates into a special revenue account to be spent on administrative and technology costs to facilitate disclosure of lobbying and campaign finance information to the public.

**Committee Amendment "A" (S-14)**

This amendment incorporates a fiscal note.

**LD 378      An Act To Facilitate the Issuance of a Gravestone for a Deceased  
Veteran with No Next of Kin      PUBLIC 208**

<u>Sponsor(s)</u>	<u>Committee Report</u>	<u>Amendments Adopted</u>
ALFOND LUCHINI	OTP-AM	S-126



***Joint Standing Committee on Veterans and Legal Affairs***

**Committee Amendment "A" (H-32)**

This amendment replaces the bill. It requires that a political communication in the form of a prerecorded automated telephone call must clearly state the name of the person who financed the expenditure for the communication at the beginning of the call. Current law does not specify when during the call this statement is required.

**LD 413 An Act To Expand Access to Absentee Ballots**

**Accepted Minority  
(ONTP) Report**

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

This bill eliminates restrictions on the issuance of absentee ballots after the third day before an election, removes deadlines for the return of an absentee ballot by a third person and allows a voter to vote by absentee ballot in the presence of the clerk until 8:00 p.m. on the day of any election.

**Committee Amendment "A" (H-59)**

This amendment replaces the bill and is the majority report of the committee. Current law provides for certain circumstances when a voter is permitted to request an absentee ballot after the third business day preceding election day. One of those circumstances is when a voter attests that the voter will be unexpectedly absent from the municipality during the entire time the polls are open on election day. The amendment provides that an application for an absentee ballot may be accepted after the deadline if the voter will be absent on election day without the voter attesting that the absence was unexpected.

**LD 507 An Act To Allow Primary Petition Signature Requirements To Be Proportional with Party Enrollment**

**ONTP**

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

This bill changes the law governing a candidate's nomination by primary election for the office of Governor, United States Senator or Representative to Congress. It changes the number of signatures required on a primary petition for the office of Governor or United States Senator to be 1% of the voters enrolled in the candidate's party and residing in the candidate's electoral district as of December 1st of the year before the election or the current minimum requirement of 2,000 voters, whichever is less. It also changes the number of signatures required on a primary petition for the office of Representative to Congress to be 1% of the voters so enrolled or the current minimum of 1,000 voters, whichever is less.

**LD 508 An Act To Amend the Laws Governing the Number of Agency Liquor Stores Allowed in a Municipality**

**PUBLIC 128**

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

Current law allows up to eight agency liquor licenses for municipalities with a population from 20,000 to 50,000 and up to ten agency liquor licenses for municipalities with a population over 50,000. This bill changes that

*Joint Standing Committee on Veterans and Legal Affairs*

allotment to an allotment that allows up to eight agency liquor licenses for municipalities with a population over 20,000 to 30,000, nine agency liquor licenses for municipalities with a population over 30,000 to 45,000 and ten agency liquor licenses for municipalities with a population over 45,000.

**Enacted Law Summary**

Public Law 2015, chapter 128 changes the allotment of agency liquor stores in municipalities with a population from 20,000 to 50,000. Chapter 128 allows up to eight agency liquor licenses for municipalities with a population over 20,000 to 30,000, nine agency liquor licenses for municipalities with a population over 30,000 to 45,000 and ten agency liquor licenses for municipalities with a population over 45,000.

**LD 509      An Act To Facilitate the Timely Return of Requested Absentee Ballots      ONTP**

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

This bill requires that the return envelopes for absentee ballots supplied to municipalities by the Secretary of State allow a voter to use the United States Postal Service to return the ballot to the municipal clerk at no cost to the voter.

**LD 510      An Act To Increase the Number of Container Options for Breweries      ONTP**

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

This bill removes the requirement that beer dispensed by a brewery at its on-premises location for off-premises consumption be in bottles with labels unique to the brewery.

**LD 511      An Act To Permit a Licensed Sales Representative To Provide Spirits at  
an Approved Tasting Event      PUBLIC 184**

<u>Sponsor(s)</u>	<u>Committee Report</u>	<u>Amendments Adopted</u>
GIDEON HASKELL	OTP-AM ONTP	H-176

This bill amends the law concerning licensed sales representatives at liquor tasting events by allowing a sales representative to provide spirits to be sampled under certain conditions and by allowing a sales representative to pour spirits or wine at a liquor tasting event.

**Committee Amendment "A" (H-176)**

This amendment replaces the bill and is the majority report of the committee. The amendment provides that a licensed sales representative may provide spirits for a taste testing at an agency liquor store. The agency liquor store must indicate that a sales representative will be providing the product and verify that the sales representative has successfully completed an alcohol server education course when it requests authorization to conduct a spirits tasting event. Spirits provided by a sales representative must be purchased at the regular retail price from the agency liquor store where the tasting will take place. Under the provision of law governing licensed sales representatives, the amendment adds the requirement that a sales representative who provides spirits for a consumer

***Joint Standing Committee on Veterans and Legal Affairs***

tasting at an agency liquor store must have successfully completed an alcohol server education course. The amendment also makes a technical correction to existing law governing licensed sales representatives.

**Enacted Law Summary**

Public Law 2015, chapter 184 provides that a licensed sales representative may provide spirits for a taste testing at an agency liquor store. The agency liquor store must indicate that a sales representative will be providing the product and verify that the sales representative has successfully completed an alcohol server education course when it requests authorization to conduct a spirits tasting event. Spirits provided by a sales representative must be purchased at the regular retail price from the agency liquor store where the tasting will take place. Under the provision of law governing licensed sales representatives, chapter 184 adds the requirement that a sales representative who provides spirits for a consumer tasting at an agency liquor store must have successfully completed an alcohol server education course.

**LD 516      An Act Regarding Gaming**

**PUBLIC 96  
EMERGENCY**

<u>Sponsor(s)</u>	<u>Committee Report</u>	<u>Amendments Adopted</u>
LUCHINI CYRWAY	OTP-AM	H-24

This bill clarifies the authority of the State Liquor and Lottery Commission with regard to the conduct of lotteries. It provides that lotteries may include draw games in which the prize paid is calculated as a share of the prize pool but may not include draw games, such as keno, in which the player wins a set prize amount based on the wager made by the player.

**Committee Amendment "A" (H-24)**

This amendment clarifies that authorized lottery games do not include draw games, such as keno, that have more than five daily drawings and in which a player wins a set prize amount based on the wager made by the player.

**Enacted Law Summary**

Public Law 2015, chapter 96 clarifies the authority of the State Liquor and Lottery Commission with regard to the conduct of lotteries. It provides that lotteries may include draw games in which the prize paid is calculated as a share of the prize pool but may not include draw games with more than five daily drawings, such as keno, in which the player wins a set prize amount based on the wager made by the player.

Public Law 2015, chapter 96 was enacted as an emergency measure effective May 20, 2015.

**LD 523      An Act To Amend the Laws Regarding the Sale of Liquor**

**PUBLIC 101**

<u>Sponsor(s)</u>	<u>Committee Report</u>	<u>Amendments Adopted</u>
GRATWICK GOODE	OTP-AM	S-61

This bill allows a license for the sale of alcoholic beverages at a civic auditorium to be issued to the civic auditorium owner or operator or to the entity providing the alcoholic beverages. The bill provides that, in specific areas of the civic auditorium, such as club seats, suites or meeting spaces, alcoholic beverages may be sold in their original containers. The bill provides that alcoholic beverages may be sold during an event at a civic auditorium primarily attended by minors as long as they are sold in areas where the event is not taking place. The bill repeals the requirement that a licensee give written notice to the Department of Administrative and Financial Services, Bureau of Alcoholic Beverages and Lottery Operations at least 24 hours before a function or event at a civic

*Joint Standing Committee on Veterans and Legal Affairs*

auditorium. The bill also requires the bureau to establish a required training program for persons who serve or sell alcoholic beverages.

The bill permits a person under 18 years of age to entertain at a licensed premises while liquor is being sold or consumed if the performance takes place in a civic auditorium, Class A restaurant, club or hotel dining room and the person is a member of an entertainment performance group.

**Committee Amendment "A" (S-61)**

This amendment replaces the bill. The amendment clarifies that a license to serve alcoholic beverages under a civic auditorium license may be issued to the owner of the auditorium, a contracted operator or the vendor who provides alcoholic beverages to patrons of the auditorium.

The amendment, like the bill, repeals the requirement that a civic auditorium provide at least 24 hours' notice prior to holding any event where alcoholic beverages will be served. The amendment also provides for a definition of "club suite" and establishes limitations under which spirits may be sold in original containers for service within the suite, including a limit of six containers of spirits products. Finally, the amendment directs the Department of Administrative and Financial Services, Bureau of Alcoholic Beverages and Lottery Operations to amend rules governing the presence of persons 18 years of age or younger at a venue where they are part of a performance group providing entertainment where alcoholic beverages may be sold.

**Enacted Law Summary**

Public Law 2015, chapter 101 provides that a license to serve alcoholic beverages under a civic auditorium license may be issued to the owner of the auditorium, a contracted operator or the vendor who provides alcoholic beverages to patrons of the auditorium. It repeals the requirement that a civic auditorium provide at least 24 hours' notice prior to holding any event where alcoholic beverages will be served. Chapter 101 also provides for a definition of "club suite" and establishes limitations under which spirits may be sold in original containers for service within the suite, including a limit of six containers of spirits products. Finally, this law directs the Department of Administrative and Financial Services, Bureau of Alcoholic Beverages and Lottery Operations to amend rules governing the presence of persons 18 years of age or younger at a venue where they are part of a performance group providing entertainment where alcoholic beverages may be sold.

**LD 532      An Act To Prohibit Maine Clean Election Act Candidates from      ONTP**  
**Accepting Special Interest Money through a Political Party or Political**  
**Action Committee**

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

This bill prohibits a certified candidate under the Maine Clean Election Act from establishing a political action committee of which the person is a principal officer, fund-raiser or decision maker. A certified candidate is also prohibited from acting as a decision maker for a party committee with regard to independent expenditures in support of the election or defeat of a candidate for Governor, State Senate or State House of Representatives.

*Joint Standing Committee on Veterans and Legal Affairs*

**LD 555      An Act To Distribute a Portion of Proceeds from the Oxford Casino to the Houlton Band of Maliseet Indians and the Aroostook Band of Micmacs      Leave to Withdraw Pursuant to Joint Rule**

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

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

**LD 585      An Act Regarding the Processing of Absentee Ballots Prior to Election Day      ONTP**

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

Under current law, municipal clerks are authorized to process absentee ballots on the Monday before the election as long as established notice, inspection, processing and security procedures are followed. This bill allows municipal clerks to process absentee ballots on the Saturday or Monday before the election, or both, as long as all these procedures are followed.

**LD 616      An Act To Allow Certain Wine and Hard Cider Manufacturing Partnerships      PUBLIC 185 EMERGENCY**

<u>Sponsor(s)</u>	<u>Committee Report</u>	<u>Amendments Adopted</u>
TIMBERLAKE MASON	OTP-AM	H-265 S-195    CYRWAY

This bill clarifies that hard cider manufactured by the holder of a winery or small winery license is subject to the same provisions as wine. The bill provides that one of the additional locations where a small winery may sell its product, including hard cider, may be at the farm or orchard where the fruit used to make the cider was harvested. It also provides that the farm or orchard must be owned by the license holder but may be a corporation that is separate from the winery.

**Committee Amendment "A" (H-265)**

This amendment replaces the bill. The amendment establishes a tenant winery license similar to the tenant brewery license in current law. Under the amendment, a tenant winery must have approval from the United States Department of the Treasury, Alcohol and Tobacco Tax and Trade Bureau authorizing an alternating proprietorship with another winery. The amendment allows up to nine tenant wineries per host winery. A tenant winery may share or rent the facilities and equipment of the host winery under certain conditions, including maintaining control of their own raw ingredients and complying with reporting requirements of the Department of Administrative and Financial Services, Bureau of Alcoholic Beverages and Lottery Operations. Since manufacturers of hard cider are licensed as wineries under current law, this amendment applies to the manufacture of hard cider as well as wine.

**Senate Amendment "A" To Committee Amendment "A" (S-195)**

*Joint Standing Committee on Veterans and Legal Affairs*

This amendment adds an emergency preamble and emergency clause.

**Enacted Law Summary**

Public Law 2015, chapter 185 establishes a tenant winery license similar to the tenant brewery license in current law. Under this law, a tenant winery must have approval from the United States Department of the Treasury, Alcohol and Tobacco Tax and Trade Bureau authorizing an alternating proprietorship with another winery. Chapter 185 allows up to nine tenant wineries per host winery. A tenant winery may share or rent the facilities and equipment of the host winery under certain conditions, including maintaining control of their own raw ingredients and complying with reporting requirements of the Department of Administrative and Financial Services, Bureau of Alcoholic Beverages and Lottery Operations. Since manufacturers of hard cider are licensed as wineries under current law, this law applies to the manufacture of hard cider as well as wine.

Public Law 2015, chapter 185 was enacted as an emergency measure effective June 15, 2015.

**LD 617      An Act To Change Municipal Campaign Contribution Limits      Died Between Houses**

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

This bill reduces the maximum allowable contribution to a municipal candidate from \$750 to \$350, which was the limit prior to January 1, 2012.

**Committee Amendment "A" (H-167)**

This amendment adds to the bill a provision that applies the \$350 campaign contribution limit in the bill for candidates for municipal office to candidates for a county office and establishes an effective date for the bill of January 1, 2016.

**LD 618      An Act To Facilitate the Production of Hard Cider in Maine      ONTP**

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

This bill allows the holder of a brewery or small brewery license to manufacture hard cider.

**LD 619      An Act To Limit the Participation of Candidates and Legislators in Political Action Committees and Nonprofit Entities Conducting Political Activities      ONTP**

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

This bill prohibits a candidate or current Legislator from soliciting contributions for or playing any role in a political action committee or a nonprofit entity unless the organization limits its activities to ballot questions for the

*Joint Standing Committee on Veterans and Legal Affairs*

duration of the election cycle.

**LD 620      An Act To Allow Veterans' Organizations To Own and Operate Slot Machines      ONTP**

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

This bill authorizes the Department of Public Safety, Gambling Control Board to issue licenses for the operation of slot machines to charitable nonprofit organizations and off-track betting facilities. A charitable nonprofit organization must have been a bona fide nonprofit for at least two years prior to October 1, 2014 and must own or lease the premises on which the slot machines are operated. An eligible nonprofit charitable organization is limited to five slot machines. Facilities licensed as off-track betting facilities are limited to 50 machines per facility. The bill increases the statewide limit on the number of slot machines to be operated from 3,000 to 3,250.

A charitable nonprofit organization authorized to operate slot machines is required to distribute 30% of net slot machine revenue to the board to be divided among the Gambling Control Board, gambling addiction and treatment programs, the General Fund and the host municipality. An off-track betting facility is required to distribute 45% of net slot machine revenue to the board to be divided among the Gambling Control Board, gambling addiction and treatment programs, the General Fund, the host municipality and the Coordinated Veterans Assistance Fund.

**LD 626      An Act Regarding Write-in Candidates in Municipal and City Elections      PUBLIC 160**

<u>Sponsor(s)</u>	<u>Committee Report</u>	<u>Amendments Adopted</u>
MASON	OTP-AM	S-107

Current law requires municipal and city ballot clerks to count all write-in votes in a municipal or city election regardless of the number of write-in votes cast. This bill provides that a ballot clerk must count and tabulate the votes cast for a write-in candidate only if the printed ballot does not include a properly nominated candidate or the number of write-in votes exceeds the number of votes for a candidate printed on the ballot.

**Committee Amendment "A" (S-107)**

This amendment replaces the bill. It provides a local option for municipalities to accept the provisions of state election law governing votes for write-in candidates for their municipal elections of candidates by secret ballot. The amendment also provides that a municipality must count votes for write-in candidates only under certain circumstances, such as when there is no properly nominated candidate or when a properly nominated candidate whose name is listed on the ballot withdraws from the race on or before election day.

**Enacted Law Summary**

Public Law 2015, chapter 160 provides a local option for municipalities to accept the provisions of state election law governing votes for write-in candidates for their municipal elections of candidates by secret ballot. It also provides that a municipality must count votes for write-in candidates only under certain circumstances, such as when there is no properly nominated candidate or when a properly nominated candidate whose name is listed on the ballot withdraws from the race on or before election day.

*Joint Standing Committee on Veterans and Legal Affairs*

**LD 635 An Act To Allow B.Y.O.B. Function Permit Holders To Hold Multiple Events at the Same Location**

**PUBLIC 106**

<u>Sponsor(s)</u>	<u>Committee Report</u>	<u>Amendments Adopted</u>
DILL TIPPING-SPITZ	OTP-AM ONTP	S-75

This bill authorizes a person who has been issued a B.Y.O.B. function permit from the Department of Administrative and Financial Services, Bureau of Alcoholic Beverages and Lottery Operations to hold multiple functions over a period of two calendar years as long as the bureau is provided notice at least 24 hours prior to each function. The bill also provides that a B.Y.O.B. function may be held outside of established premises, including but not limited to open space and parking lots adjacent to a facility where sporting events take place.

**Committee Amendment "A" (S-75)**

This amendment replaces the bill and is the majority report of the committee. The amendment provides that a B.Y.O.B. permit holder may be issued a 12-month permit that allows for multiple events over that period as long as the events are held at the same location. The bill allows a two-year permit and provides that a B.Y.O.B. function may be held outside of the established premises.

**Enacted Law Summary**

Public Law 2015, chapter 106 provides that a B.Y.O.B. permit holder may be issued a 12-month permit that allows for multiple events over that period as long as the events are held at the same location.

**LD 677 An Act To Amend the Election Laws Concerning Candidates and Nominees**

**ONTP**

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

This bill makes changes to the laws governing the withdrawal and replacement of candidates for an office other than United States Senator, Representative to Congress or Governor. It amends the requirements that must be met in order for a political committee to make a replacement nomination. It requires notification of a meeting to name a replacement candidate and it requires that a minimum of five residents of the electoral district who are members of the political party making the replacement attend the meeting.

**LD 678 An Act Concerning the Ability of On-premises Liquor Licensees To Dispense Liquor in Sealed Refillable Containers**

**Accepted Majority (ONTP) Report**

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

This bill allows on-premises retail liquor licensees to dispense liquor from kegs into sealable refillable containers for resale.

**Committee Amendment "A" (H-205)**

This amendment, which is the minority report of the committee, provides for specific conditions that must be met in

*Joint Standing Committee on Veterans and Legal Affairs*

order for an on-premises licensee that is not a brewery or small brewery to sell malt liquor for off-premises consumption in refillable containers. In order for a licensee to be able to sell malt liquor in refillable containers, it must offer at least 25 brands of malt liquor on tap at the licensee's establishment. It also requires that the refillable containers be unique to the licensee and may be filled only upon request of a customer with malt liquor produced by small breweries or malt liquor manufactured outside the United States.

**LD 684      An Act To Amend the Authorized Hours during Which Liquor May Be Sold and Purchased**

**PUBLIC 74**

<u>Sponsor(s)</u>	<u>Committee Report</u>	<u>Amendments Adopted</u>
KINNEY J PATRICK	OTP-AM ONTP	H-60

This bill allows a holder of a liquor license to sell or deliver liquor from 5 a.m. on any day until 1 a.m. of the following day except in those areas in which liquor may not be sold on Sundays. The bill also amends sections of law that deal with the sale of liquor on Sundays to reflect this change.

**Committee Amendment "A" (H-60)**

This amendment, which is the majority report of the committee, provides that vessels licensed to sell alcoholic beverages for on-premises consumption may do so until 1 a.m. of the following day, which is consistent with the time allowed for other on-premises licensees under current law.

**Enacted Law Summary**

Public Law 2015, chapter 74 allows a holder of a liquor license to sell or deliver liquor from 5 a.m. on any day until 1 a.m. of the following day except in those areas in which liquor may not be sold on Sundays. It also clarifies that vessels licensed to sell alcoholic beverages for on-premises consumption may do so until 1 a.m. of the following day, which is consistent with the time allowed for other on-premises licensees under the law.

**LD 693      An Act To Amend the Military Bureau Laws**

**PUBLIC 120**

<u>Sponsor(s)</u>	<u>Committee Report</u>	<u>Amendments Adopted</u>
CYRWAY LUCHINI	OTP-AM	S-97

This bill provides that records of the Department of Defense, Veterans and Emergency Management, Military Bureau may not be disclosed to the public. It provides that the Maine Army National Guard may receive seized money and assets for counter-drug activities.

**Committee Amendment "A" (S-97)**

The bill adds a provision to the Maine Revised Statutes, Title 15 regarding counter-drug activities by the Maine National Guard. This amendment retains that provision but moves it to Title 37-B. The amendment also strikes the provision of the bill that specifies that records of the Department of Defense, Veterans and Emergency Management, Military Bureau may not be disclosed to the public. The amendment also adds an appropriations and allocations section.

**Enacted Law Summary**

Public Law 2015, chapter 120 provides that the Maine Army National Guard may receive seized assets and money resulting from counter-drug activities for which the Maine Army National Guard provided assistance.

*Joint Standing Committee on Veterans and Legal Affairs*

LD 694      **An Act To Improve the Veterans' Services Laws**

PUBLIC 175

<u>Sponsor(s)</u>	<u>Committee Report</u>	<u>Amendments Adopted</u>
LUCHINI CYRWAY	OTP-AM	H-192

This bill provides that a person is ineligible for interment in the Maine Veterans' Memorial Cemetery System if that person has been proven to have committed a serious crime, such as murder, a sexual offense or any crime punishable by imprisonment for life. It also allows Department of Labor personnel to access veterans' military service records.

**Committee Amendment "A" (H-192)**

This amendment replaces section 1 of the bill with a new provision regarding who is ineligible for interment in the Maine Veterans' Memorial Cemetery System. The amendment specifies that a person is not eligible for interment if the person has been convicted of the crime of murder; a crime in another jurisdiction punishable by a sentence of life imprisonment or death; a crime under any other jurisdiction's sex offender laws requiring the person to register for life; a military, tribal or federal offense requiring registration pursuant to the federal Adam Walsh Child Protection and Safety Act of 2006, Public Law 109-248, 42 United States Code, Chapter 151; or a sexual offense requiring a person to register under Maine's sex offender registration acts for life, including a Class C crime under the Maine Revised Statutes, Title 17-A, section 853, subsection 1 or a Class A or Class B crime under:

1. Title 17-A, chapter 11;
2. Title 17-A, chapter 12; or
3. Title 17-A, section 301, subsection 1, paragraph A, subparagraph (3).

The amendment also specifies that a person is not eligible for interment if the person has been found to have committed any of the previously listed crimes but has not been convicted because the person has not been available for trial due to the person's death or flight to avoid prosecution. Any such finding may be based only upon a showing of clear and convincing evidence, after an opportunity for a hearing in a manner prescribed by the appropriate federal official.

**Enacted Law Summary**

Public Law 2015, chapter 175 adds a provision to the laws governing who is ineligible for interment in the Maine Veterans' Memorial Cemetery System. It specifies that a person is not eligible for interment if the person has been convicted of the crime of murder; a crime in another jurisdiction punishable by a sentence of life imprisonment or death; a crime under any other jurisdiction's sex offender laws requiring the person to register for life; a military, tribal or federal offense requiring registration pursuant to the federal Adam Walsh Child Protection and Safety Act of 2006, Public Law 109-248, 42 United States Code, Chapter 151; or a sexual offense requiring a person to register under Maine's sex offender registration acts for life, including a Class C crime under the Maine Revised Statutes, Title 17-A, section 853, subsection 1 or a Class A or Class B crime under:

1. Title 17-A, chapter 11;
2. Title 17-A, chapter 12; or
3. Title 17-A, section 301, subsection 1, paragraph A, subparagraph (3).

Chapter 175 also specifies that a person is not eligible for interment if the person has been found to have committed

***Joint Standing Committee on Veterans and Legal Affairs***

any of the previously listed crimes but has not been convicted because the person has not been available for trial due to the person's death or flight to avoid prosecution. Any such finding may be based only upon a showing of clear and convincing evidence, after an opportunity for a hearing in a manner prescribed by the appropriate federal official.

Finally, this law allows Department of Labor personnel to access veterans' military service records.

**LD 719      An Act To Provide Fair Access To Maine Clean Election Act Funds      ONTP**

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

Under current law, candidates for the Legislature who are unenrolled in a political party have until the April 20th preceding a primary election to submit the required qualifying contributions and required documents in order to receive campaign financing under the Maine Clean Election Act. This bill pushes that date back to June 30th.

**LD 720      An Act To Establish an Open Primary System in the State      ONTP**

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

This bill provides that the names of all candidates for Governor, United States Senator and Representative to Congress, including candidates enrolled in a party and unenrolled candidates, must appear on the same primary ballot. All voters, regardless of enrollment status, vote using identical ballots for candidates for these offices. Only the names of the two candidates who receive the most votes at the primary election for these offices appear on the ballot for the general election.

**LD 721      Resolve, To Establish the Commission To Strengthen and Align the Services Provided to Maine's Veterans      RESOLVE 48 EMERGENCY**

<u>Sponsor(s)</u>	<u>Committee Report</u>	<u>Amendments Adopted</u>
GOLDEN COLLINS	OTP-AM	H-255 S-335 MASON

This resolve establishes the Commission To Strengthen and Align the Services Provided to Maine's Veterans, which must report by December 2, 2015 with its findings and recommendations and suggested legislation to the Joint Standing Committee on Veterans and Legal Affairs.

**Committee Amendment "A" (H-255)**

This amendment changes the membership of the Commission To Strengthen and Align the Services Provided to Maine's Veterans to better comply with study guidelines and assigns a more specific list of duties for the commission with regard to identifying insufficiency of services required for and provided to Maine veterans. The amendment also extends the commission's reporting date to the Joint Standing Committee on Veterans and Legal Affairs from December 2, 2015 to January 15, 2016 and states that staffing will be provided to the commission by the Office of Policy and Legal Analysis.

**Senate Amendment "A" To Committee Amendment "A" (S-335)**

*Joint Standing Committee on Veterans and Legal Affairs*

This amendment removes one Senate member and one House member from the Commission To Strengthen and Align the Services Provided to Maine's Veterans.

**Enacted Law Summary**

Resolve 2015, chapter 48 establishes the Commission To Strengthen and Align the Services Provided to Maine's Veterans, which must report by January 15, 2016 with its findings and recommendations and suggested legislation to the Joint Standing Committee on Veterans and Legal Affairs. The commission is charged with identifying gaps and insufficiencies in services and benefits provided to Maine veterans at the state and federal level. It is also tasked with identifying partnerships, initiatives and communication strategies to address the identified gaps and inefficiencies. The resolve authorizes the Veterans and Legal Affairs Committee to report out legislation to the Second Regular Session of the 127th Legislature.

Resolve 2015, chapter 48 was finally passed as an emergency measure effective July 12, 2015.

**LD 742      RESOLUTION, Proposing an Amendment to the Constitution of Maine      CARRIED OVER  
To Require That 5 Percent of Signatures on a Direct Initiative of  
Legislation Come from Each County**

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

This resolution 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 two 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.

**House Amendment "A" To Committee Amendment "A" (H-417)**

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, 2016 instead of on the date of the Governor's proclamation.

This resolution was reported out of committee, then committed back to the Joint Standing Committee on Veterans and Legal Affairs and carried over to any special or regular session of the 127th Legislature by joint order, H.P. 994 as amended by H-504.

**LD 744      An Act To Permit Unenrolled Voters To Cast Ballots in Primary      ONTP  
Elections**

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

This bill allows unenrolled voters to vote in primary elections without having to enroll in a political party.

*Joint Standing Committee on Veterans and Legal Affairs*

**LD 754      RESOLUTION, Proposing an Amendment to the Constitution of Maine      ONTP**  
**To Ensure That Laws Governing Hunting and Fishing Are Not Subject**  
**to the Citizen Petition Process**

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

This resolution proposes to amend the Constitution of Maine to exclude from laws that may be proposed in a citizen initiative laws governing hunting and fishing.

**LD 761      An Act To Authorize Free Samples of Liquor by a Restaurant      PUBLIC 142**

<u>Sponsor(s)</u>	<u>Committee Report</u>	<u>Amendments Adopted</u>
FREDETTE	OTP-AM	H-225

This bill allows a restaurant, Class A restaurant or Class A restaurant/lounge to offer complimentary samples of wine to a customer subject to certain conditions.

**Committee Amendment "A" (H-225)**

This amendment changes the bill by allowing a Class A restaurant or Class A restaurant/lounge to offer samples of malt liquor, wine and spirits. The bill allows for restaurants to offer samples of wine only. The amendment provides that a person may not be given more than three samples per day. The amendment also establishes sample size limits. A sample of malt liquor may not exceed three ounces. A sample of wine may not exceed one ounce. A sample of spirits may not exceed one-half of one ounce. Finally, the amendment specifies that samples must be provided in areas of the restaurant where liquor is normally served. Like the bill, the amendment provides that samples are for customers and may not be provided to minors or visibly intoxicated persons.

**Enacted Law Summary**

Public Law 2015, chapter 142 allows a licensed Class A restaurant or Class A restaurant/lounge to offer samples of malt liquor, wine and spirits. It provides that a person may not be provided more than three samples per day and establishes a sample amount limit of one ounce of wine, three ounces of malt liquor and one-half of one ounce of spirits.

**LD 762      An Act To Permit the Penobscot Nation To Operate Electronic      ONTP**  
**High-stakes Bingo**

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

This bill authorizes the Penobscot Nation to use electronic beano terminals for the operation of high-stakes electronic beano. It specifies that an electronic beano terminal is not a slot machine or an illegal gambling machine. An electronic beano terminal plays a game of chance resembling a beano game using a draw of no more than 75 letters and numbers that correspond to the game. The element of chance is determined by a central computer server system that is subject to testing by an independent testing company and to which the Chief of the State Police is provided access via the Internet for the purpose of conducting audits and monitoring play. An electronic beano

*Joint Standing Committee on Veterans and Legal Affairs*

terminal is not permitted to dispense cash or prizes. Instead, prizes for high-stakes electronic beano are awarded by voucher. The bill also clarifies that, unlike traditional beano, beano conducted on an electronic beano terminal is not required to be a group game.

**LD 770      An Act To Permit Maine Residents To Register To Vote Online      ONTP**

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

This bill requires the Secretary of State to implement a system that allows a person to register to vote online. The system requires an applicant to provide certain information, which is verified using driver's license or nondriver identification card data maintained by the Department of the Secretary of State, Bureau of Motor Vehicles. An applicant must submit an affidavit attesting that all information provided in the electronic voter registration application is true. The bill authorizes the Secretary of State to adopt rules to administer the electronic voter registration system and requires the Secretary of State to submit an annual report to the joint standing committee of the Legislature having jurisdiction over voter registration matters.

**LD 777      An Act To Establish a Seasonal Agency Liquor License      ONTP**

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

This bill establishes a seasonal agency liquor store license. It authorizes the Department of Administrative and Financial Services, Bureau of Alcoholic Beverages and Lottery Operations to issue one seasonal license in a municipality with a year-round population of at least 5,001 if between June 1st and October 1st the population increases by a number that would otherwise qualify the municipality for an additional agency liquor store license.

**LD 779      An Act To Increase the Minimum Population Requirement for a Municipality in Which the Bureau of Alcoholic Beverages and Lottery Operations May Locate an Additional Agency Liquor Store      PUBLIC 221**

<u>Sponsor(s)</u>	<u>Committee Report</u>	<u>Amendments Adopted</u>
KATZ THERIAULT	OTP-AM	S-159

This bill increases from 2,000 to 5,000 the allowable population of a municipality in which the Department of Administrative and Financial Services, Bureau of Alcoholic Beverages and Lottery Operations may establish an additional liquor store.

**Committee Amendment "A" (S-159)**

This amendment clarifies that the Department of Administrative and Financial Services, Bureau of Alcoholic Beverages and Lottery Operations may license one agency liquor store in a municipality with a population of less than 2,000. This amendment also authorizes the bureau to issue one additional liquor store license in a municipality with a population of less than 10,000, instead of 5,000 as in the bill, and to consider the impact of seasonal population or tourism when determining whether to issue the additional license. Finally, this amendment specifies that a waiver from time requirements does not apply to certain applicants for an additional liquor store license in a municipality that already has the authorized number of liquor store licenses.

## Joint Standing Committee on Veterans and Legal Affairs

### Enacted Law Summary

Public Law 2015, chapter 221 clarifies current law stating that the Department of Administrative and Financial Services, Bureau of Alcoholic Beverages and Lottery Operations may license one agency liquor store in a municipality with a population of less than 2,000. It also authorizes the bureau to issue one additional liquor store license, beyond the current limitation, in a municipality with a population of less than 10,000 and to consider the impact of seasonal population or tourism when determining whether to issue the additional license. Finally, chapter 221 specifies that a waiver from time requirements does not apply to certain applicants for an additional liquor store license in a municipality that already has the authorized number of liquor store licenses.

**LD 790      An Act To Make Political Advertising Accountable and Transparent      ONTP**

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

This bill requires a communication that is intended to influence a ballot question election and that depicts a wildlife management practice to include information about any image or video used in the communication whether or not the practice is legal in the State. It also requires that if a communication includes an image or video of a wildlife management practice the communication must state the location where the image or video was created and the date on which it was made.

**LD 804      An Act To Establish the Maine Veterans Coordinating Committee      ONTP**

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

This bill, which proposes to enact a Private and Special Law, establishes the Maine Veterans Coordinating Committee to serve as a clearinghouse of information and suggested legislation regarding veterans' issues at the local, state and federal levels.

**LD 805      Resolve, Authorizing Certain Individuals To Bring Suit against the Department of Health and Human Services      CARRIED OVER**

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

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.

This resolve was carried over to any special or regular session of the 127th Legislature by joint order, H.P. 992.

*Joint Standing Committee on Veterans and Legal Affairs*

**LD 806      An Act To Strengthen the Maine Clean Election Act, Improve Disclosure  
and Make Other Changes to the Campaign Finance Laws**

**INDEF PP**

Sponsor(s)

Committee Report

Amendments Adopted

This initiated bill makes the following changes to the laws governing campaign finance reporting and disclosure and the Maine Clean Election Act.

1. It authorizes the establishment of gubernatorial transition committees for the purpose of raising money to finance a Governor-elect's inauguration and transition into office and establishes requirements regarding disclosure and acceptance of donations from persons involved in lobbying.
2. It amends the Maine Clean Election Act by adding a system of optional supplemental funding for participating Maine Clean Election Act candidates who collect additional qualifying contributions.
3. It establishes new baseline initial distribution amounts for Maine Clean Election Act candidates.
4. It authorizes the Commission on Governmental Ethics and Election Practices to impose enhanced penalties for campaign finance violations occurring shortly before election day.
5. It increases the baseline penalties for failure to file required reports.
6. It increases the maximum penalties for certain campaign finance violations.
7. It requires communications that are independent expenditures to include a conspicuous statement listing the top three funders of the entity making the independent expenditure.
8. It increases the amount of the annual transfer to the Maine Clean Election Fund from \$2,000,000 to \$3,000,000.
9. It requires the Commission on Governmental Ethics and Election Practices to report annually on the Maine Clean Election Fund's projected needs, including an operating margin of 20%.
10. It repeals the seed money requirement for gubernatorial candidates.
11. It adjusts the number of qualifying contributions required for initial certification of gubernatorial candidates from 3,250 to 3,200 to correspond to the increments established for supplemental funds distributions.
12. It doubles the seed money cap for legislative candidates.
13. It provides rule-making authority for the Commission on Governmental Ethics and Election Practices regarding several of the statutory changes.
14. It directs the joint standing committee of the Legislature having jurisdiction over taxation matters to report out legislation to eliminate corporate tax expenditures totaling \$6,000,000 per biennium, prioritizing low-performing tax expenditures.

This bill was not referred to committee.

*Joint Standing Committee on Veterans and Legal Affairs*

**LD 837 RESOLUTION, Proposing an Amendment to the Constitution of Maine  
To Limit the Application of a Citizen Initiative Concerning Wildlife  
Matters to Counties in Which It Is Approved**

**Leave to Withdraw  
Pursuant to Joint  
Rule**

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

This resolution proposes to amend the Constitution of Maine to provide that a citizen initiative concerning wildlife matters that is approved by vote of the people applies only in counties in which a majority of the votes in those counties approved the initiative.

**LD 838 An Act To Enhance Equity and Efficiency for Off-track Betting  
Facilities**

**PUBLIC 200**

<u>Sponsor(s)</u>	<u>Committee Report</u>	<u>Amendments Adopted</u>
PICCHIOTTI	OTP-AM	H-206

This bill adjusts the distribution of commissions on simulcasting of races with commingled pools originating at a racetrack in another state by an off-track betting facility without reducing the portion of those revenues that benefit the State. In addition, the bill eliminates the off-track betting facility simulcast fund share received by a commercial track whose parent company is owned or operated or owned and operated by a casino in this State. The bill also modifies the requirement that an off-track betting facility operator be a liquor license holder, but maintains the requirement that an off-track betting facility be situated in a facility that is licensed to serve liquor and food. The bill also eliminates the requirement for at least 150 race dates in the preceding two calendar years before interstate simulcasting or the licensing of an off-track betting facility is allowed.

**Committee Amendment "A" (H-206)**

This amendment changes the definition in the bill of "net commission" to reduce the reduction for amount wagered from 6.5% to 4%. The amendment removes the section in the bill that provides an exception to the requirement that an off-track betting licensee must also have a liquor license. The amendment also strikes the provision of the bill that eliminates payments of the off-track betting facility simulcast fund share to a commercial track whose parent company operates a casino in the State.

**Enacted Law Summary**

Public Law 2015, chapter 200 establishes a definition of "net commission" as it applies to how wagers are distributed by those licensed by the Harness Racing Commission to accept wagers on horse racing. Net commission is defined as the total commission less 4% of the amount wagered on a race. Chapter 200 adjusts the distribution of commissions on simulcasting of races with commingled pools originating at a racetrack in another state by an off-track betting facility. This law also eliminates the requirement for at least 150 race dates in the preceding two calendar years before interstate simulcasting or the licensing of an off-track betting facility is allowed.

**LD 850 An Act To Establish Special Elections To Fill United States Senate  
Vacancies**

**ONTP**

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

*Joint Standing Committee on Veterans and Legal Affairs*

This bill provides that, when there is a vacancy in the office of United States Senator, the Governor is required to issue a proclamation declaring the vacancy and ordering a special primary election, which must be held no later than 100 days after the vacancy occurred, followed by a special election to fill the vacancy.

**LD 858      An Act To Better Inform the Public of Election Results**

**PUBLIC 146**

<u>Sponsor(s)</u>	<u>Committee Report</u>	<u>Amendments Adopted</u>
BAKER	OTP-AM	S-130

This bill requires the municipal clerk, as soon as the ballots in an election are counted, to post the results in a place accessible to the public so that they may be viewed when the municipal office is closed.

**Committee Amendment "A" (S-130)**

This amendment requires an election official to post a paper copy of the unofficial results of an election as soon as practicable after the ballots are counted at the voting place or municipal office if there is a secure place at the voting place or municipal office where the public may view the results even when the voting place or municipal office is closed. The amendment establishes this requirement in a separate section rather than in the section of law that requires the declaration by the warden of the results after the ballots are counted, as in the bill.

**Enacted Law Summary**

Public Law 2015, chapter 146 requires an election official to post a paper copy of the unofficial results of an election as soon as practicable after the ballots are counted at the voting place or municipal office if there is a secure place at the voting place or municipal office where the public may view the results even when the voting place or municipal office is closed.

**LD 904      An Act To Increase Fairness in Campaign Financing**

**CARRIED OVER**

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

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.

This bill was carried over to any regular or special session of the 127th Legislature by joint order, H.P. 992.

**LD 923      An Act To Create Jobs and Increase Consumer Wine Choice**

**ONTP**

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

*Joint Standing Committee on Veterans and Legal Affairs*

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

**LD 935      An Act Regarding Alcohol Manufacturing Licenses Issued to Research Facilities      PUBLIC 149**

<u>Sponsor(s)</u>	<u>Committee Report</u>	<u>Amendments Adopted</u>
DILL TIPPING-SPITZ	OTP-AM	S-98

This bill creates a liquor manufacturing license for a research facility at a postsecondary educational institution. Under the bill, other liquor manufacturers, known as subject manufacturers, may produce malt liquor, wine, sparkling wine, fortified wine and spirits at the research facility and the research facility may itself manufacture malt liquor, wine, sparkling wine, fortified wine and spirits for research or instructional purposes, which the research facility also may sell to the State, wholesalers or retailers or directly to the public under certain circumstances.

**Committee Amendment "A" (S-98)**

This amendment replaces the bill. It establishes a research manufacturer license for a state-sponsored postsecondary educational institution that offers course work or degree programs in food sciences or agricultural sciences. The license authorizes the manufacture of malt liquor, wine or spirits by a licensee for educational purposes and as part of an outreach extension program of the institution that provides food science and food processing consultation and educational services through application of the institution's research to promote business development.

**Enacted Law Summary**

Public Law 2015, chapter 149 establishes a research manufacturer license for a state-sponsored postsecondary educational institution that offers course work or degree programs in food sciences or agricultural sciences. The license authorizes the manufacture of malt liquor, wine or spirits by a licensee for educational purposes and as part of an outreach extension program of the institution that provides food science and food processing consultation and educational services through application of the institution's research to promote business development.

**LD 964      An Act To Provide Access to Private Apartment Complexes for Political Candidates      ONTP**

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

This bill allows candidates for office and their accompanying volunteers to access common areas of multiple-unit dwellings such as apartment or condominium buildings, dormitories, fraternity or sorority houses, nursing homes, assisted living facilities or other multiple-unit facilities for the specific purpose of campaigning for that office and leaving campaign materials, subject to certain limitations. This bill does not prohibit denying the candidate access to specific residential units, setting reasonable hours of access, limiting the number of volunteers, requiring an appointment, denying access to a nursing home or assisted living facility for valid health reasons or denying access to or expulsion from a multiple-unit dwelling for good cause. This bill allows an alternative to access if the multiple-unit dwelling hosts a candidate forum and all residents receive prior notice of the forum.

*Joint Standing Committee on Veterans and Legal Affairs*

**LD 983      An Act To Clarify Wine Auction Licenses**

**PUBLIC 366**

<u>Sponsor(s)</u>	<u>Committee Report</u>	<u>Amendments Adopted</u>
PATRICK GIDEON	OTP-AM	S-226 S-238    PATRICK

This bill allows the Department of Administrative and Financial Services, Bureau of Alcoholic Beverages and Lottery Operations to issue to a holder of an auctioneer license a permit to conduct a wine auction for privately held wine. The bill establishes the fee for and sets specific conditions on the wine auction permit.

**Committee Amendment "A" (S-226)**

This amendment clarifies when wine is considered to be fine and rare for the purpose of being sold at auction. Under the bill, fine and rare wine is wine that is not available for sale in the State by a licensed retailer or wholesaler. The amendment clarifies that wine meets this fine and rare standard if it is not available for sale at the time the inventory of wine to be auctioned is provided to the Department of Administrative and Financial Services, Bureau of Alcoholic Beverages and Lottery Operations. The amendment also states that notice of a wine auction must be made to the bureau at least 30 days in advance and that containers of auctioned wine are not subject to the bottle deposit law.

This amendment also adds an appropriations and allocations section to the bill.

**Senate Amendment "A" To Committee Amendment "A" (S-238)**

This amendment removes the provision of the committee amendment that exempts containers of auctioned wine from the bottle deposit law. Under this amendment, containers of auctioned wine must comply with the bottle deposit law.

**Enacted Law Summary**

Public Law 2015, chapter 366 establishes a wine auction permit to be issued by the by the Department of Administrative and Financial Services, Bureau of Alcoholic Beverages and Lottery Operations. The permit authorizes a person who is licensed as an auctioneer by the Board of Licensing of Auctioneers to auction privately held fine and rare wine which is not otherwise available for wholesale or retail sale in the state. An auction permittee is required to provide the bureau with at least 30 days notice prior to an auction and provide a list of the wines subject to bidding. Under chapter 366, wine may not be auctioned to a person licensed to sell wine for off-premises or on-premises consumption.

**LD 986      An Act To Streamline Certain Regulations on Small Distilleries**

**Accepted Majority  
(ONTP) Report**

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

This bill allows a small distillery that produces less than 25,000 gallons of spirits per year to fulfill the provision of law requiring the distillery to sell its product to the State by accounting for spirits it sells or provides as samples on the premises of the distillery without being required to transport those spirits from the distillery by filing a monthly accounting with the Department of Administrative and Financial Services, Bureau of Alcoholic Beverages and Lottery Operations of the spirits sold or provided on the premises for that month and paying the difference between

*Joint Standing Committee on Veterans and Legal Affairs*

the price at which the distillery sells its spirits to the State and the price at which the distillery purchases back its own spirits from the State and any associated fees and taxes.

**Committee Amendment "A" (H-349)**

This amendment, which is the minority report of the committee, replaces the bill. It allows a small distillery that produces less than 25,000 gallons of spirits per year to sell its own spirits at the distillery without these spirits having to be transported away from the distillery, in accordance with rules adopted by the Department of Administrative and Financial Services, Bureau of Alcoholic Beverages and Lottery Operations. The amendment also adds an appropriations and allocations section.

**LD 990      An Act To Limit Agency Expenditures To Influence Elections      ONTP**

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

This bill prohibits state agencies from expending public resources to influence the outcome of a direct initiative of legislation, a people's veto referendum or other statewide referendum except to provide an impartial factual summary regarding what is at issue. It also extends the law governing the involvement of executive branch employees in elections to include direct initiatives of legislation, people's veto referenda and other statewide referenda.

**LD 997      An Act To Streamline Licensing Requirements for and Payments from Veterans' Organizations      CARRIED OVER**

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

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.

This bill was carried over to any special or regular session of the 127th Legislature by joint order, H.P. 992.

**LD 1066      An Act To Provide for the Licensing of a Casino Owned by the Maliseet Tribal Government on Tribal Lands in Aroostook County      ONTP**

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

This bill authorizes the Department of Public Safety, Gambling Control Board to issue a casino license to the Houlton Band of Maliseet Indians. A casino licensed under this bill would be located on tribal land in the Town of Houlton and would be limited to 350 slot machines at the facility. The casino would be required to distribute 35% of net slot machine income and 16% of net table game income to scholarships at secondary educational institutions in the State, federally recognized Indian tribes in the State, gambling addiction services, agricultural fairs, harness racing purses, the casino host county and municipality, Washington County and multiple municipalities in both Aroostook and Washington counties, the Coordinated Veterans Assistance Fund and other funds. Approval for the



*Joint Standing Committee on Veterans and Legal Affairs*

**LD 1123 An Act To Amend the Campaign Reports and Finances Laws and the  
Maine Clean Election Act**

**Veto Sustained**

<u>Sponsor(s)</u>	<u>Committee Report</u>	<u>Amendments Adopted</u>
	OTP-AM	S-192

This bill amends the laws governing campaign finance and the Commission on Governmental Ethics and Election Practices by:

1. Providing the commission discretion to decline to conduct an investigation requested by an outside party, if the violation is alleged to have occurred more than three years before the investigation is requested. This proposed change would not restrict the commission's discretion to initiate an investigation of its own accord;
2. Allowing the commission to refer to the Attorney General potential violations of criminal law rather than requiring the commission to refer all violations of the laws governing campaign reports and finances;
3. Amending the requirements for state party committees to provide mailing addresses for local committee chairs to the commission for purposes of receiving correspondence from the commission;
4. Requiring that prerecorded automated telephone calls and scripted live telephone communications made shortly before an election that name a clearly identified candidate clearly state the address of the person that paid for the calls or communications and a statement indicating whether the calls or communications were authorized by a candidate;
5. Requiring candidates to disclose the addresses of payees in their campaign finance reports, consistent with requirements for political action committees and party committees;
6. Providing an exemption from filing primary election campaign finance reports for legislative candidates who file a sworn statement with the commission that they will not conduct financial activity for the primary election. This exemption would be available only to those candidates with no opponent in the primary election and would not exempt candidates from filing campaign finance reports for the general election;
7. Permitting candidates to donate unspent campaign contributions to a political action committee or ballot question committee;
8. Repealing the requirement for a candidate with a campaign surplus or deficit to file a termination report by July 15th following the general election but retaining the requirement that a candidate disclose surpluses or deficits to be carried forward to the next campaign;
9. Amending the threshold for filing an independent expenditure report from \$100 to \$250;
10. Permitting the commission to require additional information in an independent expenditure report to facilitate the public's identification of the mailing, advertisement or other paid communication that is the subject of the report;
11. Increasing the potential penalty for an individual's failure to register as a candidate with the commission from \$10 to \$100;
12. Amending the formula used to determine the penalty when a campaign finance report is filed late to provide that the penalty is based on the amount of financial activity reported late rather than on the total financial activity for the period;

*Joint Standing Committee on Veterans and Legal Affairs*

- 13. Allowing candidates and political committees to request a determination by the commission regarding a preliminary penalty through an unsworn communication such as a letter or memo rather than through a sworn statement;
- 14. Defining the term "ballot question" for the purposes of the laws governing reports by political action committees to refer to a people's veto referendum, direct initiative and other referendums;
- 15. Requiring political action committees to register with the commission within seven days of receiving contributions or making expenditures above the applicable threshold for the purpose of influencing Maine elections. Under current law, the registration requirement is triggered only by expenditures made to influence Maine elections;
- 16. Prohibiting a political action committee from compensating a Legislator or member of the Legislator's immediate family or household for services provided to the committee if the Legislator is a principal officer or treasurer of the committee or is one of the individuals primarily responsible for raising contributions or making decisions for the committee;
- 17. Permitting the commission to assess a fine of up to \$5,000 if a person spends more than \$500 on a paid communication to voters expressly advocating for or against a ballot question if the communication does not contain the name and address of the person who paid for the communication;
- 18. Requiring a person that spends more than \$500 on a prerecorded automated telephone call or scripted live telephone communication expressly advocating for or against a ballot question to clearly state the person's name and address in the call or communication; and
- 19. Requiring campaign staff and consultants who are compensated for their labor by candidates with \$2,000 or more in Maine Clean Election Act funds to create an invoice or timesheet showing the dates of service and number of hours worked, to be kept by the candidate for three years after the election. Goods purchased by a staff member or consultant on behalf of the candidate would not count toward the \$2,000 compensation threshold.

**Committee Amendment "A" (S-192)**

This amendment makes clarifying changes to the bill. It clarifies that prerecorded automated telephone calls and scripted live telephone calls that are political communications that are not paid for by a candidate must state whether the communication was authorized by the candidate. It provides that the reporting exemption in the bill that allows for an uncontested primary candidate to be exempt from certain reporting requirements when that candidate files a sworn and notarized notification with the Commission on Governmental Ethics and Election Practices stating that the candidate will not accept contributions or make expenditures for the primary race does not apply to a Maine Clean Election Act candidate. The amendment strikes a provision in the bill that conflicts with other provisions of campaign laws regarding the termination of campaign requirements. Finally, the amendment adds a new section to the bill that provides that when a political action committee seeks a waiver of a penalty for mitigating circumstances surrounding the failure to file a report or filing a report late, the statement the committee provides does not have to be in the form of a sworn statement. This addition mirrors a section in the bill that makes the same provision for party committees and candidates when they seek a penalty waiver.

**LD 1127     An Act Regarding the Authority of the Secretary of State and the  
Attorney General To Conduct Investigations of Vote Recounts**

**ONTP**

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

*Joint Standing Committee on Veterans and Legal Affairs*

This bill provides the Secretary of State and the Attorney General authority to conduct investigations during a recount on matters related to the recount. These investigations may include interviews and depositions of witnesses and other investigatory methods determined appropriate by the Secretary of State and the Attorney General. It allows the Secretary of State or the Attorney General to initiate a second recount of ballots of any relevant voting district during the recount process if there are inconsistencies compared to the original ballot count or other credible reasons to believe the original count or first recount is not accurate. A decision to seat provisionally or otherwise a candidate whose election is the subject of the recount does not terminate the investigatory authority of the Secretary of State and the Attorney General.

**LD 1138     An Act Regarding Municipal Reporting of Statewide Elections     ONTP**

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

This bill provides for a municipal clerk who fails to update the central voter registration system by entering voter participation history to be warned by the Secretary of State and for the clerk's municipality to publish in a newspaper and its town report notice of that failure. It also, beginning November 8, 2016, makes it a civil violation for a municipal clerk to fail to update the central voter registration system by entering voter participation history for a statewide election by January 1st for the immediately previous general election and by August 1st for the immediately previous primary election. The bill imposes a fine of not more than \$50 for each day after January 1st or August 1st that the clerk fails to update the system. It also stipulates that a municipality is not liable for a clerk's failure to update the system.

**LD 1176     An Act To Prohibit the Sale and Possession of Powdered Alcohol in the     PUBLIC 205**  
**State**

<u>Sponsor(s)</u>	<u>Committee Report</u>	<u>Amendments Adopted</u>
DEVIN CYRWAY	OTP-AM	H-226

This bill makes the possession, use, sale or furnishing of powdered alcohol a civil violation and a repeat violation of selling or furnishing powdered alcohol a Class E crime that, if committed by a person with a license to sell liquor, subjects the person to a possible suspension of the liquor license for up to one year.

**Committee Amendment "A" (H-226)**

This amendment clarifies that penalties established in the bill for licensees who sell or furnish powdered alcohol in violation of the law apply to nonretail licensees as well as retail licensees and further clarifies that license suspensions are carried out in accordance with the existing suspension process in law.

**Enacted Law Summary**

Public Law 2015, chapter 205 makes the possession, use, sale or furnishing of powdered alcohol a civil violation. It makes a repeat violation of selling or furnishing powdered alcohol a Class E crime that, if committed by a person with a license to sell liquor, subjects the person to a possible suspension of the liquor license for up to one year. Penalties established under chapter 205 for licensees who sell or furnish powdered alcohol in violation of the law apply to nonretail licensees as well as retail licensees. License suspensions as a consequence of such a violation are carried out in accordance with the existing suspension process in law.

*Joint Standing Committee on Veterans and Legal Affairs*

**LD 1183 An Act To Strengthen the Craft Distillery Industry in Maine**

**ONTP**

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

This bill caps the tax the Department of Administrative and Financial Services, State Liquor and Lottery Commission may levy on spirits produced by a distillery in the State that distills 50,000 gallons per year or less at no more than 18% of the price the State pays the distillery for the spirits. The bill requires that the distillery must use state-grown products, not including water, as a majority of the spirits' substrate, which is the sugary mixture from which alcohol or spirits are distilled.

**LD 1189 An Act To Make Certain Local Primaries Nonpartisan**

**ONTP**

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

This bill creates an open, nonpartisan petition and primary process for nomination of candidates for election to the positions of register of probate, district attorney and sheriff. If more than two candidates are qualified for an office through the petition process, an open primary is held in which all voters, regardless of party affiliation, are eligible to vote. The two candidates getting the highest number of votes are then nominated to appear on the general election ballot. If two or fewer candidates are qualified through the petition process, no primary is held and those candidates appear on the general election ballot.

**LD 1192 An Act Regarding Campaign Finance Reform**

**Died Between  
Houses**

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

This bill requires public disclosure of political contributions of \$250,000 or more during a biennial election cycle by persons to a state-based political action committee, party committee, ballot question committee or candidate. It requires the Commission on Governmental Ethics and Election Practices to provide a voluntary pledge form to political action committees on which they may pledge not to spend money in a Maine Clean Election Act candidate's race and also to post on its publicly accessible website the names of political action committees and the names of an officer of each political action committee and each political action committee's top donor. It amends the law governing political communications to require disclosure of the two highest contributors to a person purchasing a political communication if any such contributor has contributed within the past year at least \$10,000 to the person. It requires that a communication by direct mail of 200 pieces or more must contain, in addition to the authorization and name and address required under current law, the names of individuals or businesses that have made aggregate donations of \$200,000 or more within the past year to the person making the communication. It requires a political action committee that transfers over \$25,000 in the aggregate during a biennial election cycle to another political action committee to pay a fee of one-quarter of that aggregate amount to the Maine Clean Election Fund. It also requires a labor union to send a letter to each of its members within three weeks of an election for Governor, State Senator or State Representative stating which state-based political action committees, party

*Joint Standing Committee on Veterans and Legal Affairs*

committees, ballot question committees and candidates the labor union contributed to during the previous biennial election cycle and the total amount of money contributed to each entity and candidate and allows a member to bring suit when a labor union fails to do so.

**Committee Amendment "A" (S-154)**

This amendment, which is the minority report of the committee, strikes all of the sections of the bill except for the provision that requires the Commission on Governmental Ethics and Election Practices to provide a form to political action committees on which the treasurer or principal officer of a political action committee pledges not to spend money in a Maine Clean Election Act candidate's race. The amendment also clarifies that the pledge is voluntary.

**LD 1197      An Act To Allow Certificate of Approval Holders under the Liquor      PUBLIC 214  
Licensing Laws To Donate Alcohol to Nonprofit Organizations**

<u>Sponsor(s)</u>	<u>Committee Report</u>	<u>Amendments Adopted</u>
SAVIELLO BLACK	OTP-AM	S-152

This bill allows certificate of approval holders under the liquor licensing laws to donate a gift certificate to purchase their products or donate their products to an incorporated civic organization for use by the organization as a prize, gift or award. It also allows alcohol producers and wholesalers to provide their products, free of charge or at a reduced price, to a licensee to be served at a licensed on-premises event for the benefit of an incorporated civic organization.

**Committee Amendment "A" (S-152)**

This amendment replaces the bill. The amendment provides examples of charitable or civic purposes within the definition of "incorporated civic organization." Like the bill, the amendment provides that manufacturers and wholesalers may donate malt liquor, wine or spirits to be used as prizes or for auctions to public broadcasting stations, incorporated civic organizations and national organizations with similar purposes to an incorporated civic organization that are 501(c)(3) organizations. Unlike the bill, the amendment provides that these donations may be made without having to provide the donation in the form of a gift card good for the purchase of the alcoholic beverage. The amendment also changes current law by stating that donations may be made to a person who is licensed to serve alcohol for on-premises consumption when the alcohol is being served at an event to benefit an incorporated civic organization in the State or a similarly purposed national 501(c)(3) organization. Current law allows for those donations only to a public broadcasting station or an incorporated civic organization in the State. The amendment also provides that a manufacturer or wholesaler licensed by the Department of Administrative and Financial Services, Bureau of Alcoholic Beverages and Lottery Operations to conduct a special taste-testing event may donate its own product to be served at the event.

Finally the amendment provides that when a manufacturer or wholesaler licensed by the bureau provides product to be served at an event for a licensed incorporated civic organization where alcohol will be consumed on the premises, the manufacturer or wholesaler may serve the product that the manufacturer or wholesaler provided for the event.

**Enacted Law Summary**

Public Law 2015, chapter 214 provides examples of charitable or civic purposes within the definition of "incorporated civic organization." The law provides that manufacturers and wholesalers may donate malt liquor, wine or spirits to be used as prizes or for auctions to public broadcasting stations, incorporated civic organizations and national organizations with similar purposes to an incorporated civic organization that are 501(c)(3) organizations. It also provides that these donations may be made without having to provide the donation in the form of a gift card good for the purchase of the alcoholic beverage. Chapter 214 changes current law by stating that donations may be made to a person who is licensed to serve alcohol for on-premises consumption when the alcohol

*Joint Standing Committee on Veterans and Legal Affairs*

is being served at an event to benefit an incorporated civic organization in the State or a similarly purposed national 501(c)(3) organization, where current law allows for those donations only to a public broadcasting station or an incorporated civic organization in the State.

This law also provides that a manufacturer or wholesaler licensed by the Department of Administrative and Financial Services, Bureau of Alcoholic Beverages and Lottery Operations to conduct a special taste-testing event may donate its own product to be served at the event.

Finally, chapter 214 provides that when a manufacturer or wholesaler licensed by the bureau provides product to be served at an event for a licensed incorporated civic organization where alcohol will be consumed on the premises, the manufacturer or wholesaler may serve the product that the manufacturer or wholesaler provided for the event.

**LD 1213      An Act To Ensure Fair Competition by and between Maine's      ONTP**  
**Commercial Tracks**

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

This bill eliminates the deadline for local approval of the operation of slot machines or a casino at a commercial track in the State and allows the commercial track greater latitude in relocating to a municipality that supports the commercial track and harness racing as long as the commercial track does not relocate closer to any existing casino or slot machine facility. The bill also requires that gaming operations be located at the racetrack as part of a fully integrated destination resort and also requires a one-time competitive bidding and fair market value license fee to be determined by the Commissioner of Administrative and Financial Services. The bill provides that most of the revenues distributed from the commercial track are credited to the General Fund.

**LD 1219      An Act To Allow Active Members and Veterans of the Armed Forces      ONTP**  
**Who Are at Least 18 Years of Age and under 21 Years of Age To**  
**Consume Alcohol at Eligible Veterans' Organization Posts and**  
**American Legion Halls**

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

This bill allows a person who is at least 18 years of age but under 21 years of age who is a member or veteran of the United States Armed Forces or state military forces to be served and consume alcohol on the premises of a veterans' organization founded, chartered or organized in the State that is eligible to receive a beano or bingo license from the Chief of the State Police.

**LD 1228      An Act To Amend the Ballot Initiative Process To Ensure Support in      ONTP**  
**Maine's Congressional Districts**

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

This bill provides that the required number of signatures on petitions for the direct initiative of legislation must include a number of signatures of voters registered to vote in each congressional district that is equal to 10% of the

*Joint Standing Committee on Veterans and Legal Affairs*

total vote for Governor cast in that congressional district in the last gubernatorial election preceding the filing of the direct initiative.

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

**CARRIED OVER**

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

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.

This bill was carried over to any regular or special session of the 127th Legislature by joint order, H.P. 992.

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

**CARRIED OVER**

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

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 3% 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 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. Two and one-half percent to the General Fund for the administrative expenses of the Gambling Control Board and for the Gambling Addiction Prevention and Treatment Fund;
2. Twenty percent to supplement harness racing purses;
3. Five percent to the Sire Stakes Fund;

## *Joint Standing Committee on Veterans and Legal Affairs*

4. Eight and one-half percent to the Agricultural Fair Support Fund;
5. Three percent to the municipality in which the slot machines and table games are located;
6. Five percent to the county in which the slot machines and table games are located;
7. Two percent to the municipalities that abut the municipality in which the slot machines and table games are located;
8. Two and one-half percent to the Fund to Stabilize Off-track Betting Facilities;
9. One and one-half percent to the Coordinated Veterans Assistance Fund; and
10. Fifty percent to the Income Tax Relief Fund.

### **Committee Amendment "A" (H-491)**

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 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, 2016 and no later than July 1, 2017. 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 \$25,000,000, of which \$5,000,000 is deposited into the General Fund to be used for administrative expenses of the Gambling Control Board. The remaining \$20,000,000 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.

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 46% and the distribution of net table game revenue at 16% for the resort-style casino. 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, which is established by the amendment to facilitate a coordinated delivery system of benefits and services to veterans in the State.

The amendment also adds an appropriations and allocations section.

## *Joint Standing Committee on Veterans and Legal Affairs*

### **Committee Amendment "B" (H-492)**

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 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. 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 an account to be used to mitigate the impact of lost revenue on the municipalities and a county in which casinos are currently located due to the operation of the new resort-style casino. Under the amendment, the Gambling Control Board will distribute money from the account to the municipalities and county based on past distribution amounts the municipalities and county had been receiving from the casino, with the intent of maintaining the same revenue stream.

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. Table game revenues would be deposited into a fund to develop a coordinated system of delivery of services and benefits to Maine veterans. 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.

The amendment also adds an appropriations and allocations section.

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

### **Committee Amendment "C" (H-493)**

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 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, 2016 and no later than July 1, 2017. 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.

## *Joint Standing Committee on Veterans and Legal Affairs*

The license fee for a casino under the amendment is \$25,000,000, of which \$5,000,000 is deposited into the General Fund to be used for administrative expenses of the Gambling Control Board. The remaining \$20,000,000 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.

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. 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, which is established by the amendment to facilitate a coordinated delivery system of benefits and services to veterans in the State. 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.

The amendment also adds an appropriations and allocations section.

### **Committee Amendment "D" (H-494)**

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 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. 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 operator.

The license fee for a casino under the amendment is \$50,000,000, of which \$5,000,000 is deposited with the Gambling Control Board and \$15,000,000 is deposited into the General Fund. The remaining \$30,000,000 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. If an existing casino closes, the Gambling Control Board will distribute money from the account to the municipalities and county based on distributions the municipality or county had been receiving from the casino.

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. Upon commencement of table game operations at a casino in York County or Cumberland County, a single distribution of slot machine and table game revenue will be applied to all casinos in the State. The amendment authorizes the Joint Standing Committee on Veterans and Legal Affairs to



*Joint Standing Committee on Veterans and Legal Affairs*

establishment. This bill repeals the existing dual liquor license provision in law.

**LD 1290 An Act To Repeal the Maine Clean Election Act and Direct the Savings To Be Used for the State's Contribution toward the Costs of Education Funding**

**Accepted Majority (ONTP) Report**

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

This bill, which takes effect January 1, 2016, repeals the Maine Clean Election Act and transfers the remaining balance in the Maine Clean Election Fund to the Department of Education to be used for the State's contribution toward the costs of education funding. This bill also corrects the numerous cross-references to the Maine Clean Election Act in the Maine Revised Statutes.

**Committee Amendment "A" (S-266)**

This amendment, which is the minority report of the committee, removes the section of the bill that states that money in the Maine Clean Election Fund must be used to support education funding. It also makes the repeal of the Maine Clean Election Act contingent upon approval of the voters of the State by referendum.

**LD 1292 An Act To Allow for Super Cribbage Tournaments**

**PUBLIC 163**

<u>Sponsor(s)</u>	<u>Committee Report</u>	<u>Amendments Adopted</u>
WARD	OTP-AM	H-266

This bill authorizes the Chief of the State Police to issue up to three licenses per year for the conduct of a super cribbage tournament.

**Committee Amendment "A" (H-266)**

This amendment imposes a \$75 license fee on super cribbage tournaments and requires that 50% of proceeds from the tournament be paid to a charitable organization. The amendment also reduces the minimum number of players required to hold a tournament from 75 to 50 and sets a maximum entry fee of \$100. Finally, the amendment provides that this license provision is repealed September 30, 2017.

**Enacted Law Summary**

Public Law 2015, chapter 163 authorizes the Chief of the State Police to issue up to three super cribbage tournament licenses annually. It imposes a \$75 license fee on super cribbage tournaments and requires that 50% of proceeds from the tournament be paid to a charitable organization. Chapter 163 also reduces the minimum number of players required to hold a tournament from 75 to 50 and sets a maximum entry fee of \$100. Finally, the law provides that this license provision is repealed September 30, 2017.

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

**CARRIED OVER**

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

## *Joint Standing Committee on Veterans and Legal Affairs*

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 one-third of the liquor inspector positions under the bureau include a requirement that the liquor inspector must complete law enforcement training.

### **Committee Amendment "A" (H-373)**

This amendment retains the provisions of the bill but requires the Director of the Bureau of Alcoholic Beverages and Lottery Operations within the Department of Administrative and Financial Services to hire five new liquor inspectors, three of whom must be trained law enforcement officers. The amendment provides an appropriations and allocations section to fund those positions and requires the bureau to report by March 1, 2017 on changes and enhancements to liquor enforcement efforts.

This bill was carried over on the Special Appropriations Table to any special or regular session of the 127th Legislature by joint order, S.P. 555.

### **LD 1335    An Act To Amend the Election Laws**

**Veto Sustained**

<u>Sponsor(s)</u>	<u>Committee Report</u>	<u>Amendments Adopted</u>
LUCHINI CYRWAY	OTP-AM	H-251

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 restriction previously applied only for candidates for state, local or county offices.
2. It removes the provision regarding the use of a supplemental incoming voting list.
3. It updates the list of the outside agencies that must provide voter registration pursuant to the National Voter Registration Act of 1993.
4. It provides that a primary election for State Senator, State Representative or county office will only be held when there is more than one candidate who has filed a candidate petition and consent; when there is at least one candidate who has filed a candidate petition and consent and at least one candidate who has qualified as a write-in candidate; or when there is no candidate who has filed a candidate petition and consent but there is at least one candidate who has qualified as a write-in candidate. Otherwise, a party candidate is nominated to the general election ballot based on acceptance of a primary petition.
5. It provides that the written acceptance for a replacement candidate must include a place for the registrar of the candidate's municipality of residence to certify the candidate's registration and enrollment status.
6. It changes the deadline for a candidate to withdraw from 60 days to 75 days before a primary or general election and allows for a replacement candidate. It also specifies that the candidate may withdraw only for good cause and must include that reason in the written notice of withdrawal filed with the Secretary of State.
7. It changes the deadline from 60 days to 75 days before the general election for a nonparty candidate for Vice President to withdraw and allow for a replacement candidate.

## *Joint Standing Committee on Veterans and Legal Affairs*

8. It provides that if a candidate or nominee for a federal or gubernatorial office withdraws less than 75 days before any election, the Secretary of State is not required to produce new ballots.
9. It clarifies that a candidate may withdraw after the withdrawal deadline if the candidate is incapacitated by a catastrophic condition or injury and allows for a replacement candidate. Current law provides for a candidate's withdrawal only for incapacitation due to a catastrophic illness.
10. 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.
11. It changes the date from 30 days to 60 days prior to an election by which the municipal clerk must file a voting place report that includes the location of each voting place, the poll opening time and the number of voting booths to be used.
12. 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.
13. It clarifies that it is a violation of law to display, as well as distribute, campaign materials within 250 feet of the voting place or the registrar's office.
14. It specifies that it is a violation of law to communicate in the voting place via text messages or e-mails that influence or attempt to influence another person's decision regarding a candidate or question on the ballot that election day.
15. It provides for a civil violation punishable by a fine for each day the municipal clerk is late in filing an election return after the election.
16. It changes the filing deadline for a declaration of write-in candidacy from 45 days to 70 days before the election.
17. It permits the Secretary of State to retrieve ballots from certain voting jurisdictions and conduct recounts of statewide or multi-county offices or referenda in stages, rather than requiring all the ballots to be retrieved at once.
18. It clarifies that an apparent winning candidate may request a recount if the official tabulation of the vote communicated to the Governor after a recount shows that candidate as the losing candidate.
19. It decreases the percentage difference required, from 2% to 1% or less of the total votes cast for the office, in order to receive a recount without requiring a deposit.
20. 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.
21. It allows the Secretary of State to accept voted absentee ballots from uniformed service voters and overseas voters by an electronic means authorized by the Secretary of State.
22. It allows for the connection of individual voting devices to a central server operated or managed by the Secretary of State for voting systems equipped for individuals with disabilities by other than a wired, point-to-point telephone connection.

*Joint Standing Committee on Veterans and Legal Affairs*

23. It allows for the use of the Internet to provide a ballot-marking system or software that is used for voters with disabilities, uniformed service voters or overseas voters to mark a ballot and transmit the marked ballot online, as long as the system or software does not tabulate the ballots or transmit the ballot tabulations online.

**Committee Amendment "A" (H-251)**

This amendment strikes the provision in the bill that requires nomination by primary election for State Senate, State House of Representatives and county offices only when the party nomination is contested. In its place, the amendment provides that, when an elected office has no candidate nominated by petition or a declared write-in candidate, the office is not required to be printed on the primary ballot. The bill requires that withdrawal of a candidate for a primary or general election would have to be for good cause, defined by the bill, and by a prescribed deadline in order to have the candidate's name removed from the ballot and a replacement candidate nominated. The amendment removes the good cause provision but maintains the earlier deadline of 75 days before the election, which is an increase from the 60-day deadline in current law. The bill provides that a municipal clerk may be subject to a civil violation of \$50 per day for each day beyond the required date that election returns are not submitted to the Secretary of State. The amendment applies that civil penalty to the municipality. The amendment retains the provision in the bill that clarifies that a candidate may withdraw after the withdrawal deadline if the candidate is incapacitated by a catastrophic condition or injury; however, the amendment requires a withdrawal request to be accompanied by a certificate signed by a licensed physician instead of at least two physicians.

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

**CARRIED OVER**

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

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.

**Committee Amendment "A" (H-364)**

This amendment establishes the Maine National Guard Postsecondary Fund and appropriates \$500,000 per year of the next biennium to the fund. It amends existing law regarding education assistance grants to Maine National Guard members to govern the distribution of the tuition benefit provided by the bill. Under the bill, tuition assistance is provided in the form of waivers from a state postsecondary education institution. The amendment provides that the Maine National Guard Postsecondary Fund will provide for 100% of an eligible member's tuition costs. If the tuition benefit costs exceed the amount in the fund, the amendment states that the benefit will be provided in the form of a waiver from the state postsecondary education institution. The amendment clarifies that tuition does not include lab fees or other mandatory fees charged to students. The amendment specifies that the benefit entitles a member to one postsecondary education credential, whether it be at the associate, baccalaureate, certificate or licensure level. The amendment specifies that a member must first pursue all other state, federal and employer-provided benefits available and have not previously earned a bachelor's degree in order to qualify for the tuition benefit proposed by the bill. The amendment also strikes provisions in the bill that would eliminate certain potential sources of revenue to be used for education assistance for members of the Maine National Guard.

This bill was carried over on the Special Appropriations Table to any special or regular session of the 127th Legislature by Joint Order, S.P. 555.

*Joint Standing Committee on Veterans and Legal Affairs*

LD 1346 An Act To Establish a Comprehensive Gaming Policy

ONTP

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

This bill authorizes the Department of Public Safety, Gambling Control Board to issue two casino licenses, one in the southern region of the State, which includes York County and Cumberland County, and one in the northern region of the State, which includes Penobscot County, Washington County and Aroostook County. In order to be eligible to apply for a casino license, an applicant must be awarded the privilege to submit an application pursuant to a competitive bidding process. The competitive bidding process is administered by a site location commission established by this bill. The Casino Site Location Commission consists of five members appointed by the Governor subject to review by the joint standing committee of the Legislature having jurisdiction over casino gaming and confirmation by the Senate. The bill provides that commission members may not have a conflict of interest and are prohibited from representing or being employed by gambling interests during their term on the commission and for five years after their term ends.

Under the bill, a successful bidder for a casino in the southern region of the State must propose a capital investment of at least \$250,000,000 exclusive of license fees, land acquisition and off-site improvements. The initial fee for a southern region casino is \$5,000,000 for a five year license term in addition to a \$250,000 application fee and \$100,000 investigative fee. The renewal fee for a southern region casino is \$250,000.

A successful bidder for a casino in the northern region of the State must propose a minimum capital investment of \$25,000,000 exclusive of license fees, land acquisition and off-site improvements. The initial fee for a northern region casino is \$1,000,000 for a five year license term in addition to a \$100,000 application fee and a \$100,000 investigative fee. The renewal fee for a northern region casino is \$100,000.

The bill provides factors that the commission is directed to consider when reviewing bids for the privilege to submit an application to operate a casino. Examples of those factors include: how the proposal from a bidder will result in the highest potential benefit to the State based on documented, expert market analyses, the potential of the proposed facility to serve as a tourism destination and how the proposal will preserve existing jobs and preserve new full-time jobs in the State. For a casino bid in the southern region, the commission must consider the bidder's experience operating a commercial harness racing track and how the casino will benefit the harness racing industry and associated businesses. For the casino bid in the northern region, the commission is directed to consider how the proposal will provide the greatest benefit to one or all of the federally recognized Indian tribes in the State, particularly by proposing operation and ownership by one or more of the tribes. With regard to the location of a northern region casino, the commission is directed to consider either the proposed facility's proximity to the Canadian border and major transportation routes or whether it will be located where gaming is currently conducted by a federally recognized Indian tribe regardless of whether that facility will be within 30 miles of a casino licensed prior to January 1, 2015.

Finally, the bill provides that the required revenue distributions from casinos licensed before January 1, 2015 be held by the Gambling Control Board until a uniform distribution structure of slot machine and table game revenue is enacted by the Legislature.

*Joint Standing Committee on Veterans and Legal Affairs*

**LD 1357    An Act To Implement the Findings of the WhiteSand Gaming Study**

**ONTP**

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

This bill authorizes the Department of Public Safety, Gambling Control Board to issue two casino licenses, one in the southern region of the State, which includes York County and Cumberland County, and one in the northern region of the State, which includes Penobscot County, Washington County and Aroostook County. In order to be eligible to apply for a casino license, an applicant must be awarded the privilege to submit an application pursuant to a competitive bidding process. The competitive bidding process is administered by a site location commission established by this bill. The Casino Site Location Commission consists of five members appointed by the Governor subject to review by the joint standing committee of the Legislature having jurisdiction over casino gaming and confirmation by the Senate. The bill provides that commission members may not have a conflict of interest and are prohibited from representing or being employed by gambling interests during their term on the commission and for five years after their term ends.

Under the bill, a successful bidder for a casino in the southern region of the State must propose a capital investment of at least \$250,000,000 exclusive of license fees, land acquisition and off-site improvements. The initial fee for a southern region casino is \$5,000,000 for a five year license term in addition to a \$250,000 application fee and \$100,000 investigative fee. The renewal fee for a southern region casino is \$250,000.

A successful bidder for a casino in the northern region of the State must propose a minimum capital investment of \$25,000,000 exclusive of license fees, land acquisition and off-site improvements. The initial fee for a northern region casino is \$1,000,000 for a five year license term in addition to a \$100,000 application fee and a \$100,000 investigative fee. The renewal fee for a northern region casino is \$100,000.

The bill provides factors that the commission is directed to consider when reviewing bids for the privilege to submit an application to operate a casino. Examples of those factors include: how the proposal from a bidder will result in the highest potential benefit to the State based on documented, expert market analyses, the potential of the proposed facility to serve as a tourism destination and how the proposal will preserve existing jobs and create new full-time jobs in the State. For the casino bid in the northern region, the commission is directed to consider how the proposal will provide the greatest benefit to one or all of the federally recognized Indian tribes in the State, particularly by proposing operation and ownership by one or more of the tribes.

Finally, the bill authorizes the Joint Standing Committee on Veterans and Legal Affairs to submit a bill establishing a uniform distribution structure for slot machine and table game revenue to the Legislature.

**LD 1429    An Act To Amend the Laws Regarding On-premises and Off-premises  
Liquor Licenses**

**PUBLIC 162**

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

This bill was reported out by the Joint Standing Committee on Veterans and Legal Affairs pursuant to joint order, H.P. 954.

This bill removes the provision in law that repeals the authority for a single location, under certain conditions, to have a license to sell beer and wine for on-premises consumption in one area of the establishment and a license to

**Joint Standing Committee on Veterans and Legal Affairs**

sell beer and wine for off-premises consumption in a separate area of the establishment.

**Enacted Law Summary**

Public Law 2015, chapter 162 removes the provision in law that repeals the authority for a single location, under certain conditions, to have a license to sell beer and wine for on-premises consumption in one area of the establishment and a license to sell beer and wine for off-premises consumption in a separate area of the establishment.

**LD 1436    An Act To Better Serve the Seasonal Tourist Market during the 2015 Summer Season and Early Autumn with a Pilot Program To Extend the Authorized Hours during Which Liquor May Be Served** **Accepted Majority (ONTP) Report**

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

This bill establishes a pilot program that terminates October 12, 2015, Columbus Day, to extend the hours for the sale of liquor for on-premises consumption from 1 a.m. to 2 a.m.

**Committee Amendment "A" (H-446)**

Under the bill, on-premises licensees are permitted to sell liquor until 2 a.m. regardless of any local option decisions to the contrary. This amendment, which is the minority report of the committee, provides that a municipality may prohibit sales after 1 a.m. if the legislative body of the municipality votes for the restriction and notifies the Department of Administrative and Financial Services, Bureau of Alcoholic Beverages and Lottery Operations of that decision.

**LD 1446    An Act To Authorize a Casino To Benefit Federally Recognized Indian Tribes in the State** **Died Between Houses**

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

This bill was reported out by the Joint Standing Committee on Veterans and Legal Affairs pursuant to Resolve 2013, chapter 111, section 3. The bill establishes a competitive bid process for a casino in either Washington County or Aroostook County, the operation of which is stated to maximize economic and employment benefits for the four federally recognized Indian tribes in the State. The bill 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 Gambling Control Board for a casino operator license. Prior to the commission's submitting a request for proposals for a casino operator license in either Washington County or Aroostook County, voters would have to approve the operation of a casino by a countywide referendum. The referendum must be held on the same date as a statewide election and no sooner than June 1, 2016 and no later than July 1, 2017. The fee to submit a bid to the commission is \$100,000.

The bill 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 \$20,000,000 capital investment in the casino and partnership with at least two federally recognized Indian tribes in the State.

Under the bill, the commission is directed to develop a point system for the factors to be considered in evaluating proposals and give priority to proposals that maximize the employment and economic benefits to federally

## *Joint Standing Committee on Veterans and Legal Affairs*

recognized Indian tribes in 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 operator.

The license fee for a casino under the bill is \$1,000,000 for a five year term with a renewal fee of \$100,000.

The bill sets the distribution of net slot machine revenue for the casino at 46% and sets the distribution of net table game revenue for the casino at 16%. The bill authorizes the Joint Standing Committee on Veterans and Legal Affairs to submit legislation establishing a distribution of the slot machine and table game revenue required to be paid by the casino.

**LD 1449     An Act To Amend the State Election Laws**

**PUBLIC 350**

Sponsor(s)

Committee Report

Amendments Adopted

S-336    CYRWAY

This bill was reported out of the Joint Standing Committee on Veterans and Legal Affairs pursuant to joint order, S.P. 551.

This bill makes the following changes to the election laws.

1. It allows the Secretary of State to accept voted absentee ballots from uniformed service voters and overseas voters by an electronic means authorized by the Secretary of State.
2. It allows for the connection of individual voting devices to a central server operated or managed by the Secretary of State for voting systems equipped for individuals with disabilities by other than a wired, point-to-point telephone connection.
3. It allows for the use of the Internet to provide a ballot-marking system or software that is used for voters with disabilities, uniformed service voters or overseas voters to mark a ballot and transmit the marked ballot online, as long as the system or software does not tabulate the ballots or transmit the ballot tabulations online.

### **Senate Amendment "A" (S-336)**

This amendment amends the laws governing campaign finance and the Commission on Governmental Ethics and Election Practices.

1. Current law requires a traditionally financed legislative candidate to file a declaration stating whether or not the candidate will accept voluntary spending limits. This amendment makes that filing optional.
2. It provides an exemption from filing primary election campaign finance reports for legislative candidates who file a sworn statement with the commission stating that they will not conduct financial activity for the primary election. This exemption is available only to candidates with no opponent in the primary election and does not exempt candidates from filing campaign finance reports for the general election.
3. Under current law a person, party committee or political action committee must file a report when making an independent expenditure in excess of \$100 in a candidate's campaign. This amendment raises that threshold for reporting to \$250.

### **Enacted Law Summary**

Public Law 2015, chapter 350 makes changes to the laws governing elections and the laws governing campaign

## *Joint Standing Committee on Veterans and Legal Affairs*

finance and the Commission on Governmental Ethics and Election Practices.

1. Current law requires a traditionally financed legislative candidate to file a declaration stating whether or not the candidate will accept voluntary spending limits. Chapter 350 makes that filing optional.
2. It provides an exemption from filing primary election campaign finance reports for legislative candidates who file a sworn statement with the commission stating that they will not conduct financial activity for the primary election. This exemption is available only to candidates with no opponent in the primary election and does not exempt candidates from filing campaign finance reports for the general election.
3. Under current law a person, party committee or political action committee must file a report when making an independent expenditure in excess of \$100 in a candidate's campaign. Chapter 350 raises that threshold for reporting to \$250.
4. It allows the Secretary of State to accept voted absentee ballots from uniformed service voters and overseas voters by an electronic means authorized by the Secretary of State.
5. It allows for the connection of individual voting devices to a central server operated or managed by the Secretary of State for voting systems equipped for individuals with disabilities by other than a wired, point-to-point telephone connection.
6. It allows for the use of the Internet to provide a ballot-marking system or software that is used for voters with disabilities, uniformed service voters or overseas voters to mark a ballot and transmit the marked ballot online, as long as the system or software does not tabulate the ballots or transmit the ballot tabulations online.

# *Joint Standing Committee on Veterans and Legal Affairs*

## SUBJECT INDEX

### Alcoholic Beverages

#### Enacted

LD 102	An Act To Strengthen the Craft Beer Industry	PUBLIC 15
LD 364	An Act To Allow a Sales Representative To Serve Alcoholic Beverages at a Tasting Event	PUBLIC 129 EMERGENCY
LD 508	An Act To Amend the Laws Governing the Number of Agency Liquor Stores Allowed in a Municipality	PUBLIC 128
LD 511	An Act To Permit a Licensed Sales Representative To Provide Spirits at an Approved Tasting Event	PUBLIC 184
LD 523	An Act To Amend the Laws Regarding the Sale of Liquor	PUBLIC 101
LD 616	An Act To Allow Certain Wine and Hard Cider Manufacturing Partnerships	PUBLIC 185 EMERGENCY
LD 635	An Act To Allow B.Y.O.B. Function Permit Holders To Hold Multiple Events at the Same Location	PUBLIC 106
LD 684	An Act To Amend the Authorized Hours during Which Liquor May Be Sold and Purchased	PUBLIC 74
LD 761	An Act To Authorize Free Samples of Liquor by a Restaurant	PUBLIC 142
LD 779	An Act To Increase the Minimum Population Requirement for a Municipality in Which the Bureau of Alcoholic Beverages and Lottery Operations May Locate an Additional Agency Liquor Store	PUBLIC 221
LD 935	An Act Regarding Alcohol Manufacturing Licenses Issued to Research Facilities	PUBLIC 149
LD 983	An Act To Clarify Wine Auction Licenses	PUBLIC 366
LD 1176	An Act To Prohibit the Sale and Possession of Powdered Alcohol in the State	PUBLIC 205
LD 1197	An Act To Allow Certificate of Approval Holders under the Liquor Licensing Laws To Donate Alcohol to Nonprofit Organizations	PUBLIC 214
LD 1429	An Act To Amend the Laws Regarding On-premises and Off-premises Liquor Licenses	PUBLIC 162

#### Not Enacted

LD 122	An Act To Standardize Pints of Beer Sold in Maine	Veto Sustained
LD 366	An Act Regarding the Sale and Taxation of Hard Cider	ONTP

LD 510	An Act To Increase the Number of Container Options for Breweries	ONTP
LD 618	An Act To Facilitate the Production of Hard Cider in Maine	ONTP
LD 678	An Act Concerning the Ability of On-premises Liquor Licensees To Dispense Liquor in Sealed Refillable Containers	Majority (ONTP) Report
LD 777	An Act To Establish a Seasonal Agency Liquor License	ONTP
LD 923	An Act To Create Jobs and Increase Consumer Wine Choice	ONTP
LD 986	An Act To Streamline Certain Regulations on Small Distilleries	Majority (ONTP) Report
LD 1083	An Act To Facilitate the Use of Half-gallon Containers for Malt Liquor at Maine Brew Pubs	ONTP
LD 1183	An Act To Strengthen the Craft Distillery Industry in Maine	ONTP
LD 1219	An Act To Allow Active Members and Veterans of the Armed Forces Who Are at Least 18 Years of Age and under 21 Years of Age To Consume Alcohol at Eligible Veterans' Organization Posts and American Legion Halls	ONTP
LD 1289	An Act To Allow Retail Liquor Licensees To Sell Alcoholic Beverages for On-premises and Off-premises Consumption at One Location	Majority (ONTP) Report
LD 1331	An Act To Provide Enhanced Enforcement of the Laws Governing Alcoholic Beverages	CARRIED OVER
LD 1436	An Act To Better Serve the Seasonal Tourist Market during the 2015 Summer Season and Early Autumn with a Pilot Program To Extend the Authorized Hours during Which Liquor May Be Served	Majority (ONTP) Report

### **Beano and Games of Chance**

#### **Enacted**

LD 270	An Act To Temporarily Reduce the Annual High-stakes Beano Fee from \$50,000 to \$25,000	PUBLIC 24 EMERGENCY
LD 1292	An Act To Allow for Super Cribbage Tournaments	PUBLIC 163

#### **Not Enacted**

LD 762	An Act To Permit the Penobscot Nation To Operate Electronic High-stakes Bingo	ONTP
--------	---	------

### **Campaign Finance and Maine Clean Election Act**

#### **Enacted**

LD 174	An Act To Amend the Maine Clean Election Act Regarding Candidate Participation in Political Action Committees	PUBLIC 116
--------	---	------------

#### **Not Enacted**

LD 15	An Act To Increase Transparency in Campaign Funding in Legislative Elections	ONTP
-------	--	------

LD 33	An Act To Strengthen the Maine Clean Election Act, Improve Disclosure and Make Other Changes to the Campaign Finance Laws	INDEF PP
LD 53	An Act To Require Shareholder Consent for Corporate Political Contributions	Majority (ONTP) Report
LD 175	An Act To Limit Maine Clean Election Act Funding to First-time Candidates	ONTP
LD 189	An Act To Prohibit Undisclosed Political Spending	ONTP
LD 204	An Act To Prohibit Certain Activities by Maine Clean Election Act Candidates	ONTP
LD 298	An Act To Require Political Action Committees To Report the Receipt of Paid Services Received from State Agencies	Veto Sustained
LD 334	An Act To Improve the Maine Clean Election Act	ONTP
LD 383	An Act Requiring Corporations To Have Approval from a Majority of Their Shareholders before Making Political Contributions Valued at Greater Than \$5,000	ONTP
LD 532	An Act To Prohibit Maine Clean Election Act Candidates from Accepting Special Interest Money through a Political Party or Political Action Committee	ONTP
LD 617	An Act To Change Municipal Campaign Contribution Limits	Died Between Houses
LD 619	An Act To Limit the Participation of Candidates and Legislators in Political Action Committees and Nonprofit Entities Conducting Political Activities	ONTP
LD 719	An Act To Provide Fair Access To Maine Clean Election Act Funds	ONTP
LD 806	An Act To Strengthen the Maine Clean Election Act, Improve Disclosure and Make Other Changes to the Campaign Finance Laws	INDEF PP
LD 904	An Act To Increase Fairness in Campaign Financing	CARRIED OVER
LD 1067	An Act To Protect the Maine Clean Election Fund	ONTP
LD 1123	An Act To Amend the Campaign Reports and Finances Laws and the Maine Clean Election Act	Veto Sustained
LD 1192	An Act Regarding Campaign Finance Reform	Died Between Houses
LD 1290	An Act To Repeal the Maine Clean Election Act and Direct the Savings To Be Used for the State's Contribution toward the Costs of Education Funding	Majority (ONTP) Report

### **Campaign Practices**

#### **Not Enacted**

LD 412	An Act Regarding Telephonic Political Communications and Push Polling	Died Between Houses
LD 964	An Act To Provide Access to Private Apartment Complexes for Political Candidates	ONTP

## *Claims Against the State*

### Not Enacted

LD 184	An Act To Reimburse Philip Wolley for Litigation Expenses Incurred in Connection with His Termination and Reinstatement as a State Employee	ONTP
LD 805	Resolve, Authorizing Certain Individuals To Bring Suit against the Department of Health and Human Services	CARRIED OVER

## *Defense, Veterans and Emergency Management*

### Enacted

LD 693	An Act To Amend the Military Bureau Laws	PUBLIC 120
--------	--	------------

## *Elections*

### Enacted

LD 626	An Act Regarding Write-in Candidates in Municipal and City Elections	PUBLIC 160
LD 858	An Act To Better Inform the Public of Election Results	PUBLIC 146
LD 1449	An Act To Amend the State Election Laws	PUBLIC 350

### Not Enacted

LD 507	An Act To Allow Primary Petition Signature Requirements To Be Proportional with Party Enrollment	ONTP
LD 509	An Act To Facilitate the Timely Return of Requested Absentee Ballots	ONTP
LD 585	An Act Regarding the Processing of Absentee Ballots Prior to Election Day	ONTP
LD 677	An Act To Amend the Election Laws Concerning Candidates and Nominees	ONTP
LD 720	An Act To Establish an Open Primary System in the State	ONTP
LD 744	An Act To Permit Unenrolled Voters To Cast Ballots in Primary Elections	ONTP
LD 850	An Act To Establish Special Elections To Fill United States Senate Vacancies	ONTP
LD 1127	An Act Regarding the Authority of the Secretary of State and the Attorney General To Conduct Investigations of Vote Recounts	ONTP
LD 1138	An Act Regarding Municipal Reporting of Statewide Elections	ONTP
LD 1189	An Act To Make Certain Local Primaries Nonpartisan	ONTP
LD 1335	An Act To Amend the Election Laws	Veto Sustained

## *Gambling*

### Not Enacted

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

## *Harness Racing and Off-track Betting*

### Enacted

LD 838      An Act To Enhance Equity and Efficiency for Off-track Betting Facilities      PUBLIC 200

## *Initiatives and Referenda*

### Enacted

LD 176      An Act To Amend the Law Governing the Gathering of Signatures for Direct Initiatives and People's Veto Referenda      PUBLIC 99  
EMERGENCY

### Not Enacted

LD 145      An Act To Amend the Verification and Certification Process for Direct Initiatives and People's Veto Referenda      ONTP

LD 225      An Act To Amend the Laws Governing the Collection of Signatures for Referenda      ONTP

LD 742      RESOLUTION, Proposing an Amendment to the Constitution of Maine To Require That 5 Percent of Signatures on a Direct Initiative of Legislation Come from Each County      CARRIED OVER

LD 754      RESOLUTION, Proposing an Amendment to the Constitution of Maine To Ensure That Laws Governing Hunting and Fishing Are Not Subject to the Citizen Petition Process      ONTP

LD 790      An Act To Make Political Advertising Accountable and Transparent      ONTP

LD 837      RESOLUTION, Proposing an Amendment to the Constitution of Maine To Limit the Application of a Citizen Initiative Concerning Wildlife Matters to Counties in Which It Is Approved      Leave to Withdraw

LD 990      An Act To Limit Agency Expenditures To Influence Elections      ONTP

LD 1084      RESOLUTION, Proposing an Amendment to the Constitution of Maine To Exclude Wildlife Issues from Citizen Initiatives      ONTP

LD 1228      An Act To Amend the Ballot Initiative Process To Ensure Support in Maine's Congressional Districts      ONTP

## *Lobbying and Lobbyists*

### Not Enacted

LD 370      An Act To Amend the Lobbyist Disclosure Procedures Law      Died On Adjournment

## Lottery

### Enacted

LD 516	An Act Regarding Gaming	PUBLIC 96 EMERGENCY
--------	-------------------------	------------------------

## Maine National Guard

### Not Enacted

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

## Slot Machines and Gambling

### Not Enacted

LD 104	An Act To Increase Gaming Opportunities for Charitable Veterans' Organizations	Leave to Withdraw
LD 555	An Act To Distribute a Portion of Proceeds from the Oxford Casino to the Houlton Band of Maliseet Indians and the Aroostook Band of Micmacs	Leave to Withdraw
LD 620	An Act To Allow Veterans' Organizations To Own and Operate Slot Machines	ONTP
LD 1066	An Act To Provide for the Licensing of a Casino Owned by the Maliseet Tribal Government on Tribal Lands in Aroostook County	ONTP
LD 1213	An Act To Ensure Fair Competition by and between Maine's Commercial Tracks	ONTP
LD 1280	An Act To Provide Income Tax Relief by Expanding Gaming Opportunities	CARRIED OVER
LD 1283	An Act To Stimulate Economic Development and Create Jobs by Amending the Laws Governing Gaming	ONTP
LD 1346	An Act To Establish a Comprehensive Gaming Policy	ONTP
LD 1357	An Act To Implement the Findings of the WhiteSand Gaming Study	ONTP
LD 1446	An Act To Authorize a Casino To Benefit Federally Recognized Indian Tribes in the State	Died Between Houses

## Veterans

### Enacted

LD 74	Resolve, To Require the Director of the Bureau of Maine Veterans' Services To Make Recommendations To Ensure Equity in the Benefits Provided to Military Service Members	RESOLVE 19
LD 378	An Act To Facilitate the Issuance of a Gravestone for a Deceased Veteran with No Next of Kin	PUBLIC 208
LD 694	An Act To Improve the Veterans' Services Laws	PUBLIC 175

LD 721	Resolve, To Establish the Commission To Strengthen and Align the Services Provided to Maine's Veterans	RESOLVE 48 EMERGENCY
<b><u>Not Enacted</u></b>		
LD 804	An Act To Establish the Maine Veterans Coordinating Committee	ONTP
LD 997	An Act To Streamline Licensing Requirements for and Payments from Veterans' Organizations	CARRIED OVER
LD 1111	An Act To Provide Funding to Municipalities To Assist with the Maintenance of Veterans' Graves	ONTP

**Voting**

<b><u>Not Enacted</u></b>		
LD 197	An Act To Strengthen Maine's Election Laws by Requiring Photographic Identification for the Purpose of Voting	Died Between Houses
LD 413	An Act To Expand Access to Absentee Ballots	Minority (ONTP) Report
LD 770	An Act To Permit Maine Residents To Register To Vote Online	ONTP

# APPENDIX A

-----  
**APPENDIX A**  
-----

**SESSION STATISTICS**

**OVERALL AND**  
**BY INDIVIDUAL COMMITTEE**

**127th LEGISLATURE  
FIRST REGULAR SESSION**

**Summary of Committee Actions**

<b>I. BILLS AND PAPERS CONSIDERED</b>	<u>Number</u>	<u>% of All Bills/Papers</u>
<b>A. Bills referred to Committee</b>		
<i>Bills referred and voted out and not carried over</i>	1251	86.0%
<i>Bills Carried Over to next session</i>	176 *	12.1%
<b>Total Bills referred</b>	<b>1427</b>	<b>98.1%</b>
<b>B. Bills reported out by law or joint order and not referred back to committee</b>	<b>8</b>	<b>0.5%</b>
<b>C. Bills introduced without reference</b>	<b>20</b>	<b>1.4%</b>
<b>D. <u>Bills referred, but not reported out</u></b>	<b>0</b>	
<b>Total Bills considered by Legislature</b>	<b>1455</b>	<b>100.0%</b>
<b>E. Orders and Resolutions Referred to Committee</b>		
<i>Joint Study Orders</i>	0	
<i>Joint Resolutions/Orders referred and voted out (SLG )</i>	2	
<i>Orders and Resolutions Carried Over to next session</i>	0	0.0%
<b>Total Orders and Resolutions Referred</b>	<b>2</b>	<b>0.1%</b>
<b>II. BILLS AND PAPERS REPORTED OUT OF COMMITTEES</b>	<u>Number</u>	<u>% of All Committee Reports</u>
<b>A. Unanimous committee reports</b>		
<i>Ought to Pass</i>	82	6.4%
<i>Ought to Pass as Amended</i>	363	28.2%
<i>Leave to Withdraw</i>	18	1.4%
<i>Ought Not to Pass</i>	460	35.8%
<b>Total unanimous reports</b>	<b>923</b>	<b>71.8%</b>
<b>B. Divided committee reports</b>		
<i>Two-way reports</i>	350	27.2%
<i>Three-way reports</i>	11	0.9%
<i>Four-way reports</i>	0	0.0%
<b>Total divided reports</b>	<b>361</b>	<b>28.1%</b>
<b>Total Committee reports</b>	<b>1286</b>	<b>89.5%</b>
<b>III. CONFIRMATION HEARINGS</b>	<b>28</b>	<b>N/A</b>
<b>IV. FINAL DISPOSITION</b>	<u>Number</u>	<u>% of All Bills/Rules</u>
<b>A. Bills and Papers enacted or finally passed</b>		
<i>Joint Study Orders</i>	1	0.0%
<i>Public laws</i>	377	25.9%
<i>Private and Special Laws</i>	11	0.8%
<i>Resolves</i>	54	3.7%
<i>Constitutional Resolutions</i>	0	0.0%
<b>Total Enacted or Finally Passed</b>	<b>443</b>	<b>30.4%</b>
<b>B. Resolves to authorize major substantive rules</b>		
<i>Rules authorized without legislative changes</i>	8	42.1%
<i>Rules authorized with legislative changes</i>	6	31.6%
<i>Rules carried over to next session</i>	2	
<i>Rules not authorized by the Legislature</i>	3	15.8%
<b>Total number of rules reviewed</b>	<b>19</b>	<b>100.0%</b>
<b>C. Bills vetoed or held by Governor</b>		
<i>Vetoed over-riden</i>	127	8.7%
<i>Vetoed sustained</i>	53	3.6%
<i>Held by the Governor</i>	1	0.1%
<b>Total</b>	<b>181</b>	<b>12.4%</b>

\* Total number of bills carried over to the next session includes 25 bills reported out of various committees and then carried over on the Special Appropriations Table by SP 555.

**127th LEGISLATURE  
AGRICULTURE, CONSERVATION AND FORESTRY**

**Summary of Committee Actions**

I. BILLS AND PAPERS CONSIDERED	<u>Number</u>	<u>% of Comm Activity</u>	<u>% of All Bills/Papers</u>
<b>A. Bills referred to Committee</b>			
<i>Bills referred and voted out and not carried over</i>	48	87.3%	3.3%
<u><i>Bills Carried Over to next session</i></u>	7 *	12.7%	0.5%
<b>Total Bills referred</b>	<b>55</b>	<b>100.0%</b>	<b>3.8%</b>
<b>B. Bills reported out by law or joint order and not referred back to committee</b>	<b>0</b>	<b>0.0%</b>	<b>0.0%</b>
<b>Total Bills considered by Committee</b>	<b>55</b>	<b>100.0%</b>	<b>3.8%</b>
<b>Orders and Resolutions referred to Committee</b>			
<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%
<i>Orders and Resolutions Carried Over</i>	0	0.0%	0.0%
<b>Total Orders and Resolutions Referred</b>	<b>0</b>	<b>0.0%</b>	<b>0.0%</b>
<b>II. COMMITTEE REPORTS</b>	<u>Number</u>	<u>% of this Committee's Reports</u>	<u>% of All Committee Reports</u>
<b>A. Unanimous committee reports</b>			
<i>Ought to Pass</i>	6	12.2%	0.5%
<i>Ought to Pass as Amended</i>	13	26.5%	1.0%
<i>Leave to Withdraw</i>	0	0.0%	0.0%
<i>Ought Not to Pass</i>	19	38.8%	1.5%
<b>Total unanimous reports</b>	<b>38</b>	<b>77.6%</b>	<b>3.0%</b>
<b>B. Divided committee reports</b>			
<i>Two-way reports</i>	11	22.4%	0.9%
<i>Three-way reports</i>	0	0.0%	0.0%
<i>Four-way reports</i>	0	0.0%	0.0%
<b>Total divided reports</b>	<b>11</b>	<b>22.4%</b>	<b>0.9%</b>
<b>Total committee reports</b>	<b>49</b>	<b>89.1%</b>	<b>3.8%</b>
<b>III. CONFIRMATION HEARINGS</b>	<b>1</b>	<b>N/A</b>	<b>N/A</b>
<b>IV. FINAL DISPOSITION</b>	<u>Number</u>	<u>% of Comm Bills/Papers</u>	<u>% of All Bills/Papers</u>
<b>A. Bills and Papers enacted or finally passed</b>			
<i>Joint Study Orders</i>	0	0.0%	0.0%
<i>Public laws</i>	12	21.8%	0.8%
<i>Private and Special Laws</i>	1	1.8%	0.1%
<i>Resolves</i>	5	9.1%	0.3%
<u><i>Constitutional Resolutions</i></u>	0	0.0%	0.0%
<b>Total Enacted or Finally Passed</b>	<b>18</b>	<b>32.7%</b>	<b>1.2%</b>
<b>B. Major substantive rules</b>			
Authorized without legislative changes	3	100.0%	15.8%
Authorized with legislative changes	0	0.0%	0.0%
Rules carried over to next session	0		
<u>Not authorized by the Legislature</u>	0	0.0%	0.0%
<b>Total number of rules reviewed</b>	<b>3</b>	<b>100.0%</b>	<b>15.8%</b>
<b>C. Bills vetoed or held by Governor</b>			
<i>Vetoed over-ridden</i>	1	1.8%	0.1%
<i>Vetoed sustained</i>	1	1.8%	0.1%
<u><i>Held by the Governor</i></u>	0	0.0%	0.0%
<b>Total</b>	<b>2</b>	<b>3.6%</b>	<b>0.1%</b>

\* Total number of bills carried over to the next session includes 1 bill reported out of the ACF Committee and then carried over on the Special Appropriations Table by SP 555.

**127th LEGISLATURE  
APPROPRIATIONS AND FINANCIAL AFFAIRS**

**Summary of Committee Actions**

I. BILLS AND PAPERS CONSIDERED	<u>Number</u>	<u>% of Comm Activity</u>	<u>% of All Bills/Papers</u>
<b>A. Bills referred to Committee</b>			
<i>Bills referred and voted out</i>	20	32.8%	1.4%
<i><u>Bills Carried Over to next session</u></i>	<u>41</u>	<u>67.2%</u>	<u>2.8%</u>
<b>Total Bills referred</b>	<b>61</b>	<b>100.0%</b>	<b>4.2%</b>
<b>B. Bills reported out by law or joint order and not referred back to committee</b>	<b>0</b>	<b>0.0%</b>	<b>0.0%</b>
<b>Total Bills considered by Committee</b>	<b>61</b>	<b>100.0%</b>	<b>4.2%</b>
<b>Orders and Resolutions referred to Committee</b>			
<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%
<i>Orders and Resolutions Carried Over</i>	<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>
<b>A. Unanimous committee reports</b>			
<i>Ought to Pass</i>	0	0.0%	0.0%
<i>Ought to Pass as Amended</i>	6	30.0%	0.5%
<i>Leave to Withdraw</i>	0	0.0%	0.0%
<i><u>Ought Not to Pass</u></i>	<u>6</u>	<u>30.0%</u>	<u>0.5%</u>
<b>Total unanimous reports</b>	<b>12</b>	<b>60.0%</b>	<b>0.9%</b>
<b>B. Divided committee reports</b>			
<i>Two-way reports</i>	8	40.0%	0.6%
<i>Three-way reports</i>	0	0.0%	0.0%
<i>Four-way reports</i>	<u>0</u>	<u>0.0%</u>	<u>0.0%</u>
<b>Total divided reports</b>	<b>8</b>	<b>40.0%</b>	<b>0.6%</b>
<b>Total committee reports</b>	<b>20</b>	<b>32.8%</b>	<b>1.6%</b>
<b>III. CONFIRMATION HEARINGS</b>	<b>1</b>	<b>N/A</b>	<b>N/A</b>
IV. FINAL DISPOSITION	<u>Number</u>	<u>% of Comm Bills/Papers</u>	<u>% of All Bills/Papers</u>
<b>A. Bills and Papers enacted or finally passed</b>			
<i>Joint Study Orders</i>	0	0.0%	0.0%
<i>Public laws</i>	9	14.8%	0.6%
<i>Private and Special Laws</i>	0	0.0%	0.0%
<i>Resolves</i>	1	1.6%	0.1%
<i><u>Constitutional Resolutions</u></i>	<u>0</u>	<u>0.0%</u>	<u>0.0%</u>
<b>Total Enacted or Finally Passed</b>	<b>10</b>	<b>16.4%</b>	<b>0.7%</b>
<b>B. Resolves to authorize major substantive rules</b>			
<i>Rules authorized without legislative changes</i>	0	0.0%	0.0%
<i>Rules authorized with legislative changes</i>	0	0.0%	0.0%
<i><u>Rules not authorized by the Legislature</u></i>	<u>0</u>	<u>0.0%</u>	<u>0.0%</u>
<b>Total number of rules reviewed</b>	<b>0</b>	<b>0.0%</b>	<b>0.0%</b>
<b>C. Bills vetoed or held by Governor</b>			
<i>Vetoed over-ridden</i>	1	1.6%	0.1%
<i>Vetoed sustained</i>	0	0.0%	0.0%
<i><u>Held by the Governor</u></i>	<u>0</u>	<u>0.0%</u>	<u>0.0%</u>
<b>Total</b>	<b>1</b>	<b>1.6%</b>	<b>0.1%</b>

**127th LEGISLATURE  
CRIMINAL JUSTICE AND PUBLIC SAFETY**

**Summary of Committee Actions**

<b>I. BILLS AND PAPERS CONSIDERED</b>	<u>Number</u>	<u>% of Comm Activity</u>	<u>% of All Bills/Papers</u>
<b>A. Bills referred to Committee</b>			
<i>Bills referred and voted out and not carried over</i>	76	90.5%	5.2%
<u><i>Bills Carried Over to next session</i></u>	<u>7</u> *	<u>8.3%</u>	<u>0.5%</u>
<b>Total Bills referred</b>	<b>83</b>	<b>98.8%</b>	<b>5.7%</b>
<b>B. Bills reported out by law or joint order and not referred back to committee</b>			
	1	1.2%	0.1%
<b>Total Bills considered by Committee</b>	<b>84</b>	<b>100.0%</b>	<b>5.8%</b>
<b>Orders and Resolutions referred to Committee</b>			
<i>Joint Study Orders referred and voted out</i>	0	0.0%	0.0%
<i>Joint Resolutions/Orders 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>
<b>II. COMMITTEE REPORTS</b>			
	<u>Number</u>	<u>% of this Committee's Reports</u>	<u>% of All Committee Reports</u>
<b>A. Unanimous committee reports</b>			
<i>Ought to Pass</i>	6	7.7%	0.5%
<i>Ought to Pass as Amended</i>	19	24.4%	1.5%
<i>Leave to Withdraw</i>	1	1.3%	0.1%
<u><i>Ought Not to Pass</i></u>	<u>12</u>	<u>15.4%</u>	<u>0.9%</u>
<b>Total unanimous reports</b>	<b>38</b>	<b>48.7%</b>	<b>3.0%</b>
<b>B. Divided committee reports</b>			
<i>Two-way reports</i>	37	47.4%	2.9%
<i>Three-way reports</i>	3	3.8%	0.2%
<u><i>Four-way reports</i></u>	<u>0</u>	<u>0.0%</u>	<u>0.0%</u>
<b>Total divided reports</b>	<b>40</b>	<b>51.3%</b>	<b>3.1%</b>
<b>Total committee reports</b>	<b>78</b>	<b>92.9%</b>	<b>6.1%</b>
<b>III. CONFIRMATION HEARINGS</b>			
	1	N/A	N/A
<b>IV. FINAL DISPOSITION</b>			
	<u>Number</u>	<u>% of Comm Bills/Papers</u>	<u>% of All Bills/Papers</u>
<b>A. Bills and Papers enacted or finally passed</b>			
<i>Joint Study Orders</i>	0	0.0%	0.0%
<i>Public laws</i>	33	39.3%	2.3%
<i>Private and Special Laws</i>	0	0.0%	0.0%
<i>Resolves</i>	2	2.4%	0.1%
<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>35</b>	<b>41.7%</b>	<b>2.4%</b>
<b>B. Resolves to authorize major substantive rules</b>			
Rules authorized without legislative changes	0	0.0%	0.0%
Rules authorized with legislative changes	0	0.0%	0.0%
<u>Rules not authorized by the Legislature</u>	<u>0</u>	<u>0.0%</u>	<u>0.0%</u>
<b>Total number of rules reviewed</b>	<b>0</b>	<b>0.0%</b>	<b>0.0%</b>
<b>C. Bills vetoed or held by Governor</b>			
<i>Vetoed over-ridden</i>	8	9.5%	0.5%
<i>Vetoed sustained</i>	4	4.8%	0.3%
<u><i>Held by the Governor</i></u>	<u>0</u>	<u>0.0%</u>	<u>0.0%</u>
<b>Total</b>	<b>12</b>	<b>14.3%</b>	<b>0.8%</b>

\* Total number of bills carried over to the next session includes 1 bill reported out of the CJPS Committee and then carried over on the Special Appropriations Table by SP 555.

**127th LEGISLATURE  
EDUCATION AND CULTURAL AFFAIRS**

**Summary of Committee Actions**

<b>I. BILLS AND PAPERS CONSIDERED</b>	<u>Number</u>	<u>% of Comm Activity</u>	<u>% of All Bills/Papers</u>
<b>A. Bills referred to Committee</b>			
<i>Bills referred and voted out and not carried over</i>	119 *	93.0%	8.2%
<u><i>Bills Carried Over to next session</i></u>	<u>9</u> **	<u>7.0%</u>	<u>0.6%</u>
<b>Total Bills referred</b>	<b>128</b>	<b>100.0%</b>	<b>8.8%</b>
<b>B. Bills reported out by law or joint order and not referred back to committee</b>	<b>0</b>	<b>0.0%</b>	<b>0.0%</b>
<b>Total Bills considered by Committee</b>	<b>128</b>	<b>100.0%</b>	<b>8.8%</b>
<b>Orders and Resolutions referred to Committee</b>			
<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%
<i>Orders and Resolutions Carried Over</i>	<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>
<b>II. COMMITTEE REPORTS</b>	<u>Number</u>	<u>% of this Committee's Reports</u>	<u>% of All Committee Reports</u>
<b>A. Unanimous committee reports</b>			
<i>Ought to Pass</i>	5	4.1%	0.4%
<i>Ought to Pass as Amended</i>	40	32.8%	3.1%
<i>Leave to Withdraw</i>	1	0.8%	0.1%
<u><i>Ought Not to Pass</i></u>	<u>47</u>	<u>38.5%</u>	<u>3.7%</u>
<b>Total unanimous reports</b>	<b>93</b>	<b>76.2%</b>	<b>7.2%</b>
<b>B. Divided committee reports</b>			
<i>Two-way reports</i>	29	23.8%	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>29</b>	<b>23.8%</b>	<b>2.3%</b>
<b>Total committee reports</b>	<b>122</b>	<b>95.3%</b>	<b>9.5%</b>
<b>III. CONFIRMATION HEARINGS</b>	<b>3</b>	<b>N/A</b>	<b>N/A</b>
<b>IV. FINAL DISPOSITION</b>	<u>Number</u>	<u>% of Comm Bills/Papers</u>	<u>% of All Bills/Papers</u>
<b>A. Bills and Papers enacted or finally passed</b>			
<i>Joint Study Orders</i>	0	0.0%	0.0%
<i>Public laws</i>	28	21.9%	1.9%
<i>Private and Special Laws</i>	2	1.6%	0.1%
<i>Resolves</i>	6	4.7%	0.4%
<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>36</b>	<b>28.1%</b>	<b>2.5%</b>
<b>B. Resolves to authorize major substantive rules</b>			
Rules authorized without legislative changes	0	0.0%	0.0%
Rules authorized with legislative changes	1	33.3%	5.3%
<u>Rules not authorized by the Legislature</u>	<u>2</u>	<u>66.7%</u>	<u>10.5%</u>
<b>Total number of rules reviewed</b>	<b>3</b>	<b>100.0%</b>	<b>15.8%</b>
<b>C. Bills vetoed or held by Governor</b>			
<i>Vetoed over-ridden</i>	12	9.4%	0.8%
<i>Vetoed sustained</i>	5	3.9%	0.3%
<u><i>Held by the Governor</i></u>	<u>0</u>	<u>0.0%</u>	<u>0.0%</u>
<b>Total</b>	<b>17</b>	<b>13.3%</b>	<b>1.2%</b>

\* Total bills referred and reported out does not include LD 784, which was voted out of the EDU Committee, but later recommitted to the AFA Committee and then carried over to the next session.

\*\* Total number of bills carried over to the next session includes 3 bills reported out of the EDU Committee and then carried over on the Special Appropriations Table by SP 555.

Prepared by the Office of Policy and Legal Analysis  
127th Legislature, First Regular Session

**127th LEGISLATURE  
ENERGY AND UTILITIES**

**Summary of Committee Actions**

I. BILLS AND PAPERS CONSIDERED	<u>Number</u>	<u>% of Comm Activity</u>	<u>% of All Bills/Papers</u>
<b>A. Bills referred to Committee</b>			
<i>Bills referred and voted out</i>	63	82.9%	4.3%
<u><i>Bills Carried Over to next session</i></u>	<u>12</u>	<u>15.8%</u>	<u>0.8%</u>
<b>Total Bills referred</b>	<b>75</b>	<b>98.7%</b>	<b>5.2%</b>
<b>B. Bills reported out by law or joint order and not referred back to committee</b>	<b>1</b>	<b>1.3%</b>	<b>0.1%</b>
<b>Total Bills considered by Committee</b>	<b>76</b>	<b>100.0%</b>	<b>5.2%</b>
<b>Orders and Resolutions referred to Committee</b>			
<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%
<i>Orders and Resolutions Carried Over</i>	<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>
<b>II. COMMITTEE REPORTS</b>	<u>Number</u>	<u>% of this Committee's Reports</u>	<u>% of All Committee Reports</u>
<b>A. Unanimous committee reports</b>			
<i>Ought to Pass</i>	4	6.3%	0.3%
<i>Ought to Pass as Amended</i>	23	35.9%	1.8%
<i>Leave to Withdraw</i>	0	0.0%	0.0%
<u><i>Ought Not to Pass</i></u>	<u>22</u>	<u>34.4%</u>	<u>1.7%</u>
<b>Total unanimous reports</b>	<b>49</b>	<b>76.6%</b>	<b>3.8%</b>
<b>B. Divided committee reports</b>			
<i>Two-way reports</i>	14	21.9%	1.1%
<i>Three-way reports</i>	1	1.6%	0.1%
<i>Four-way reports</i>	0	0.0%	0.0%
<b>Total divided reports</b>	<b>15</b>	<b>23.4%</b>	<b>1.2%</b>
<b>Total committee reports</b>	<b>64</b>	<b>84.2%</b>	<b>5.0%</b>
<b>III. CONFIRMATION HEARINGS</b>	<b>1</b>	<b>N/A</b>	<b>N/A</b>
<b>IV. FINAL DISPOSITION</b>	<u>Number</u>	<u>% of Comm Bills/Papers</u>	<u>% of All Bills/Papers</u>
<b>A. Bills and Papers enacted or finally passed</b>			
<i>Joint Study Orders</i>	0	0.0%	0.0%
<i>Public laws</i>	17	22.4%	1.2%
<i>Private and Special Laws</i>	5	6.6%	0.3%
<i>Resolves</i>	4	5.3%	0.3%
<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>26</b>	<b>34.2%</b>	<b>1.8%</b>
<b>B. Resolves to authorize major substantive rules</b>			
Rules authorized without legislative changes	0	0.0%	0.0%
Rules authorized with legislative changes	1	100.0%	5.3%
Rules carried over to next session	0		
<u>Rules not authorized by the Legislature</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>5.3%</b>
<b>C. Bills vetoed or held by Governor</b>			
<i>Vetoed over-ridden</i>	8	10.5%	0.5%
<i>Vetoed sustained</i>	3	3.9%	0.2%
<u><i>Held by the Governor</i></u>	<u>0</u>	<u>0.0%</u>	<u>0.0%</u>
<b>Total</b>	<b>11</b>	<b>14.5%</b>	<b>0.8%</b>

**127th LEGISLATURE  
ENVIRONMENT AND NATURAL RESOURCES**

**Summary of Committee Actions**

I. BILLS AND PAPERS CONSIDERED	<u>Number</u>	<u>% of Comm Activity</u>	<u>% of All Bills/Papers</u>
<b>A. Bills referred to Committee</b>			
<i>Bills referred and voted out</i>	48	90.6%	3.3%
<u><i>Bills Carried Over to next session</i></u>	<u>4</u>	<u>7.5%</u>	<u>0.3%</u>
<b>Total Bills referred</b>	<b>52</b>	<b>98.1%</b>	<b>3.6%</b>
<b>B. Bills reported out by law or joint order and not referred back to committee</b>	<b>1</b>	<b>1.9%</b>	<b>0.1%</b>
<b>Total Bills considered by Committee</b>	<b>53</b>	<b>100.0%</b>	<b>3.6%</b>
<b>Orders and Resolutions referred to Committee</b>			
<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>
<b>A. Unanimous committee reports</b>			
<i>Ought to Pass</i>	4	8.2%	0.3%
<i>Ought to Pass as Amended</i>	15	30.6%	1.2%
<i>Leave to Withdraw</i>	2	4.1%	0.2%
<u><i>Ought Not to Pass</i></u>	<u>19</u>	<u>38.8%</u>	<u>1.5%</u>
<b>Total unanimous reports</b>	<b>40</b>	<b>81.6%</b>	<b>3.1%</b>
<b>B. Divided committee reports</b>			
<i>Two-way reports</i>	9	18.4%	0.7%
<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>9</b>	<b>18.4%</b>	<b>0.7%</b>
<b>Total committee reports</b>	<b>49</b>	<b>92.5%</b>	<b>3.8%</b>
<b>III. CONFIRMATION HEARINGS</b>	<b>0</b>	<b>N/A</b>	<b>N/A</b>
IV. FINAL DISPOSITION	<u>Number</u>	<u>% of Comm Bills/Papers</u>	<u>% of All Bills/Papers</u>
<b>A. Bills and Papers enacted or finally passed</b>			
<i>Joint Study Orders</i>	0	0.0%	0.0%
<i>Public laws</i>	17	32.1%	1.2%
<i>Private and Special Laws</i>	0	0.0%	0.0%
<i>Resolves</i>	3	5.7%	0.2%
<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>20</b>	<b>37.7%</b>	<b>1.4%</b>
<b>B. Resolves to authorize major substantive rules</b>			
Rules authorized without legislative changes	2	50.0%	10.5%
Rules authorized with legislative changes	1	25.0%	5.3%
<u>Rules not authorized by the Legislature</u>	<u>1</u>	<u>25.0%</u>	<u>5.3%</u>
<b>Total number of rules reviewed</b>	<b>4</b>	<b>100.0%</b>	<b>21.1%</b>
<b>C. Bills vetoed or held by Governor</b>			
<i>Vetoed over-ridden</i>	0	0.0%	0.0%
<i>Vetoed sustained</i>	1	1.9%	0.1%
<u><i>Held by the Governor</i></u>	<u>0</u>	<u>0.0%</u>	<u>0.0%</u>
<b>Total</b>	<b>1</b>	<b>1.9%</b>	<b>0.1%</b>

**127th LEGISLATURE  
HEALTH AND HUMAN SERVICES**

**Summary of Committee Actions**

I. BILLS AND PAPERS CONSIDERED	<u>Number</u>	<u>% of Comm Activity</u>	<u>% of All Bills/Papers</u>
<b>A. Bills referred to Committee</b>			
<i>Bills referred and voted out and not carried over</i>	146	86.9%	10.0%
<u><i>Bills Carried Over to next session</i></u>	22 *	13.1%	1.5%
<b>Total Bills referred</b>	<b>168</b>	<b>100.0%</b>	<b>11.5%</b>
<b>B. Bills reported out by law or joint order and not referred back to committee</b>			
	0	0.0%	0.0%
<b>Total Bills considered by Committee</b>	<b>168</b>	<b>100.0%</b>	<b>11.5%</b>
<b>Orders and Resolutions referred to Committee</b>			
<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%
<i>Orders and Resolutions Carried Over</i>	0	0.0%	0.0%
<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>
<b>A. Unanimous committee reports</b>			
<i>Ought to Pass</i>	6	4.0%	0.5%
<i>Ought to Pass as Amended</i>	34	22.5%	2.6%
<i>Leave to Withdraw</i>	4	2.6%	0.3%
<u><i>Ought Not to Pass</i></u>	51	33.8%	4.0%
<b>Total unanimous reports</b>	<b>95</b>	<b>62.9%</b>	<b>7.4%</b>
<b>B. Divided committee reports</b>			
<i>Two-way reports</i>	52	34.4%	4.0%
<i>Three-way reports</i>	4	2.6%	0.3%
<u><i>Four-way reports</i></u>	0	0.0%	0.0%
<b>Total divided reports</b>	<b>56</b>	<b>37.1%</b>	<b>4.4%</b>
<b>Total committee reports</b>	<b>151</b>	<b>89.9%</b>	<b>11.7%</b>
<b>III. CONFIRMATION HEARINGS</b>			
	0	N/A	N/A
IV. FINAL DISPOSITION	<u>Number</u>	<u>% of Comm Bills/Papers</u>	<u>% of All Bills/Papers</u>
<b>A. Bills and Papers enacted or finally passed</b>			
<i>Joint Study Orders</i>	0	0.0%	0.0%
<i>Public laws</i>	27	16.1%	1.9%
<i>Private and Special Laws</i>	0	0.0%	0.0%
<i>Resolves</i>	14	8.3%	1.0%
<u><i>Constitutional Resolutions</i></u>	0	0.0%	0.0%
<b>Total Enacted or Finally Passed</b>	<b>41</b>	<b>24.4%</b>	<b>2.8%</b>
<b>B. Resolves to authorize major substantive rules</b>			
Rules authorized without legislative changes	3	100.0%	15.8%
Rules authorized with legislative changes	0	0.0%	0.0%
<u>Rules not authorized by the Legislature</u>	0	0.0%	0.0%
<b>Total number of rules reviewed</b>	<b>3</b>	<b>100.0%</b>	<b>15.8%</b>
<b>C. Bills vetoed or held by Governor</b>			
<i>Vetoed over-ridden</i>	16	9.5%	1.1%
<i>Vetoed sustained</i>	9	5.4%	0.6%
<u><i>Held by the Governor</i></u>	0	0.0%	0.0%
<b>Total</b>	<b>25</b>	<b>14.9%</b>	<b>1.7%</b>

\* Total number of bills carried over to the next session includes 5 bills reported out of the HHS Committee and then carried over on the Special Appropriations Table by SP 555.

**127th LEGISLATURE  
INSURANCE AND FINANCIAL SERVICES**

**Summary of Committee Actions**

I. BILLS AND PAPERS CONSIDERED	<u>Number</u>	<u>% of Comm Activity</u>	<u>% of All Bills/Papers</u>
<b>A. Bills referred to Committee</b>			
<i>Bills referred and voted out</i>	45	88.2%	3.1%
<i>Bills Carried Over to next session</i>	6	11.8%	0.4%
<b>Total Bills referred</b>	<b>51</b>	<b>100.0%</b>	<b>3.5%</b>
<b>B. Bills reported out by law or joint order and not referred back to committee</b>	<b>0</b>	<b>0.0%</b>	<b>0.0%</b>
<b>Total Bills considered by Committee</b>	<b>51</b>	<b>100.0%</b>	<b>3.5%</b>
<b>Orders and Resolutions referred to Committee</b>			
<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%
<i>Orders and Resolutions Carried Over</i>	0	0.0%	0.0%
<b>Total Orders and Resolutions Referred</b>	<b>0</b>	<b>0.0%</b>	<b>0.0%</b>
<b>II. COMMITTEE REPORTS</b>	<u>Number</u>	<u>% of this Committee's Reports</u>	<u>% of All Committee Reports</u>
<b>A. Unanimous committee reports</b>			
<i>Ought to Pass</i>	2	4.4%	0.2%
<i>Ought to Pass as Amended</i>	15	33.3%	1.2%
<i>Leave to Withdraw</i>	0	0.0%	0.0%
<i>Ought Not to Pass</i>	11	24.4%	0.9%
<b>Total unanimous reports</b>	<b>28</b>	<b>62.2%</b>	<b>2.2%</b>
<b>B. Divided committee reports</b>			
<i>Two-way reports</i>	17	37.8%	1.3%
<i>Three-way reports</i>	0	0.0%	0.0%
<i>Four-way reports</i>	0	0.0%	0.0%
<b>Total divided reports</b>	<b>17</b>	<b>37.8%</b>	<b>1.3%</b>
<b>Total committee reports</b>	<b>45</b>	<b>88.2%</b>	<b>3.5%</b>
<b>III. CONFIRMATION HEARINGS</b>	<b>2</b>	<b>N/A</b>	<b>N/A</b>
<b>IV. FINAL DISPOSITION</b>	<u>Number</u>	<u>% of Comm Bills/Papers</u>	<u>% of All Bills/Papers</u>
<b>A. Bills and Papers enacted or finally passed</b>			
<i>Joint Study Orders</i>	0	0.0%	0.0%
<i>Public laws</i>	20	39.2%	1.4%
<i>Private and Special Laws</i>	0	0.0%	0.0%
<i>Resolves</i>	0	0.0%	0.0%
<i>Constitutional Resolutions</i>	0	0.0%	0.0%
<b>Total Enacted or Finally Passed</b>	<b>20</b>	<b>39.2%</b>	<b>1.4%</b>
<b>B. Resolves to authorize major substantive rules</b>			
Rules authorized without legislative changes	0	0.0%	0.0%
Rules authorized with legislative changes	0	0.0%	0.0%
Rules not authorized by the Legislature	0	0.0%	0.0%
<b>Total number of rules reviewed</b>	<b>0</b>	<b>0.0%</b>	<b>0.0%</b>
<b>C. Bills vetoed or held by Governor</b>			
<i>Vetoed over-ridden</i>	6	11.8%	0.4%
<i>Vetoed sustained</i>	4	7.8%	0.3%
<i>Held by the Governor</i>	0	0.0%	0.0%
<b>Total</b>	<b>10</b>	<b>19.6%</b>	<b>0.7%</b>

**127th LEGISLATURE  
INLAND FISHERIES AND WILDLIFE**

**Summary of Committee Actions**

I. BILLS AND PAPERS CONSIDERED	<u>Number</u>	<u>% of Comm Activity</u>	<u>% of All Bills/Papers</u>
<b>A. Bills referred to Committee</b>			
<i>Bills referred and voted out</i>	64	94.1%	4.4%
<i>Bills Carried Over to next session</i>	<u>3</u>	<u>4.4%</u>	<u>0.2%</u>
<b>Total Bills referred</b>	<b>67</b>	<b>98.5%</b>	<b>4.6%</b>
<b>B. Bills reported out by law or joint order and not referred back to committee</b>	1	1.5%	0.1%
<b>Total Bills considered by Committee</b>	<b>68</b>	<b>100.0%</b>	<b>4.7%</b>
<b>Orders and Resolutions referred to Committee</b>			
<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%
<i>Orders and Resolutions Carried Over</i>	<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>
<b>II. COMMITTEE REPORTS</b>	<u>Number</u>	<u>% of this Committee's Reports</u>	<u>% of All Committee Reports</u>
<b>A. Unanimous committee reports</b>			
<i>Ought to Pass</i>	5	7.7%	0.4%
<i>Ought to Pass as Amended</i>	14	21.5%	1.1%
<i>Leave to Withdraw</i>	0	0.0%	0.0%
<i>Ought Not to Pass</i>	<u>23</u>	<u>35.4%</u>	<u>1.8%</u>
<b>Total unanimous reports</b>	<b>42</b>	<b>64.6%</b>	<b>3.3%</b>
<b>B. Divided committee reports</b>			
<i>Two-way reports</i>	22	33.8%	1.7%
<i>Three-way reports</i>	1	1.5%	0.1%
<i>Four-way reports</i>	<u>0</u>	<u>0.0%</u>	<u>0.0%</u>
<b>Total divided reports</b>	<b>23</b>	<b>35.4%</b>	<b>1.8%</b>
<b>Total committee reports</b>	<b>65</b>	<b>95.6%</b>	<b>5.1%</b>
<b>III. CONFIRMATION HEARINGS</b>	<b>0</b>	<b>N/A</b>	<b>N/A</b>
<b>IV. FINAL DISPOSITION</b>	<u>Number</u>	<u>% of Comm Bills/Papers</u>	<u>% of All Bills/Papers</u>
<b>A. Bills and Papers enacted or finally passed</b>			
<i>Joint Study Orders</i>	0	0.0%	0.0%
<i>Public laws</i>	23	33.8%	1.6%
<i>Private and Special Laws</i>	0	0.0%	0.0%
<i>Resolves</i>	1	1.5%	0.1%
<i>Constitutional Resolutions</i>	<u>0</u>	<u>0.0%</u>	<u>0.0%</u>
<b>Total Enacted or Finally Passed</b>	<b>24</b>	<b>35.3%</b>	<b>1.6%</b>
<b>B. Resolves to authorize major substantive rules</b>			
Rules authorized without legislative changes	0	0.0%	0.0%
Rules authorized with legislative changes	0	0.0%	0.0%
<u>Rules not authorized by the Legislature</u>	<u>0</u>	<u>0.0%</u>	<u>0.0%</u>
<b>Total number of rules reviewed</b>	<b>0</b>	<b>0.0%</b>	<b>0.0%</b>
<b>C. Bills vetoed or held by Governor</b>			
<i>Vetoed over-ridden</i>	9	13.2%	0.6%
<i>Vetoed sustained</i>	2	2.9%	0.1%
<i>Held by the Governor</i>	<u>0</u>	<u>0.0%</u>	<u>0.0%</u>
<b>Total</b>	<b>11</b>	<b>16.2%</b>	<b>0.8%</b>

**127th LEGISLATURE  
JUDICIARY**

**Summary of Committee Actions**

<b>I. BILLS AND PAPERS CONSIDERED</b>	<u>Number</u>	<u>% of Comm Activity</u>	<u>% of All Bills/Papers</u>
<b>A. Bills referred to Committee</b>			
<i>Bills referred and voted out</i>	108	85.7%	7.4%
<u><i>Bills Carried Over to next session</i></u>	18	14.3%	1.2%
<b>Total Bills referred</b>	<b>126</b>	<b>100.0%</b>	<b>8.7%</b>
<b>B. Bills reported out by law or joint order and not referred back to committee</b>	<b>0</b>	<b>0.0%</b>	<b>0.0%</b>
<b>Total Bills considered by Committee</b>	<b>126</b>	<b>100.0%</b>	<b>8.7%</b>
<b>Orders and Resolutions referred to Committee</b>			
<i>Joint Study Orders referred and voted out</i>	0	0.0%	0.0%
<i>Joint Resolutions/Orders 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>
<b>II. COMMITTEE REPORTS</b>	<u>Number</u>	<u>% of this Committee's Reports</u>	<u>% of All Committee Reports</u>
<b>A. Unanimous committee reports</b>			
<i>Ought to Pass</i>	12	11.1%	0.9%
<i>Ought to Pass as Amended</i>	50	46.3%	3.9%
<i>Leave to Withdraw</i>	1	0.9%	0.1%
<u><i>Ought Not to Pass</i></u>	<u>24</u>	<u>22.2%</u>	<u>1.9%</u>
<b>Total unanimous reports</b>	<b>87</b>	<b>80.6%</b>	<b>6.8%</b>
<b>B. Divided committee reports</b>			
<i>Two-way reports</i>	21	19.4%	1.6%
<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>21</b>	<b>19.4%</b>	<b>1.6%</b>
<b>Total committee reports</b>	<b>108</b>	<b>85.7%</b>	<b>8.4%</b>
<b>III. CONFIRMATION HEARINGS</b>	<b>17</b>	<b>N/A</b>	<b>N/A</b>
<b>IV. FINAL DISPOSITION</b>	<u>Number</u>	<u>% of Comm Bills/Papers</u>	<u>% of All Bills/Papers</u>
<b>A. Bills and Papers enacted or finally passed</b>			
<i>Joint Study Orders</i>	0	0.0%	0.0%
<i>Public laws</i>	56	44.4%	3.8%
<i>Private and Special Laws</i>	0	0.0%	0.0%
<i>Resolves</i>	2	1.6%	0.1%
<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>58</b>	<b>46.0%</b>	<b>4.0%</b>
<b>B. Resolves to authorize major substantive rules</b>			
Rules authorized without legislative changes	0	0.0%	0.0%
Rules authorized with legislative changes	1	33.3%	5.3%
Rules carried over to the next session	2	0.0%	0.0%
<u>Rules not authorized by the Legislature</u>	<u>0</u>	<u>0.0%</u>	<u>0.0%</u>
<b>Total number of rules reviewed</b>	<b>3</b>	<b>100.0%</b>	<b>15.8%</b>
<b>C. Bills vetoed or held by Governor</b>			
<i>Vetoed over-ridden</i>	30	23.8%	2.1%
<i>Vetoed sustained</i>	4	3.2%	0.3%
<u><i>Held by the Governor</i></u>	<u>0</u>	<u>0.0%</u>	<u>0.0%</u>
<b>Total</b>	<b>34</b>	<b>27.0%</b>	<b>2.3%</b>

**127th LEGISLATURE  
LABOR, COMMERCE, RESEARCH AND ECONOMIC DEVELOPMENT**

**Summary of Committee Actions**

I. BILLS AND PAPERS CONSIDERED	<u>Number</u>	<u>% of Comm Activity</u>	<u>% of All Bills/Papers</u>
<b>A. Bills referred to Committee</b>			
<i>Bills referred and voted out and not carried over</i>	141	92.8%	9.7%
<u><i>Bills Carried Over to next session</i></u>	<u>10</u> *	<u>6.6%</u>	<u>0.7%</u>
<b>Total Bills referred</b>	<b>151</b>	<b>99.3%</b>	<b>10.4%</b>
<b>B. Bills reported out by law or joint order and not referred back to committee</b>	<b>1</b>	<b>0.7%</b>	<b>0.1%</b>
<b>Total Bills considered by Committee</b>	<b>152</b>	<b>100.0%</b>	<b>10.4%</b>
<b>Orders and Resolutions referred to Committee</b>			
<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>
<b>A. Unanimous committee reports</b>			
<i>Ought to Pass</i>	9	6.2%	0.7%
<i>Ought to Pass as Amended</i>	26	17.9%	2.0%
<i>Leave to Withdraw</i>	4	2.8%	0.3%
<u><i>Ought Not to Pass</i></u>	<u>51</u>	<u>35.2%</u>	<u>4.0%</u>
<b>Total unanimous reports</b>	<b>90</b>	<b>62.1%</b>	<b>7.0%</b>
<b>B. Divided committee reports</b>			
<i>Two-way reports</i>	54	37.2%	4.2%
<i>Three-way reports</i>	1	0.7%	0.1%
<u><i>Four-way reports</i></u>	<u>0</u>	<u>0.0%</u>	<u>0.0%</u>
<b>Total divided reports</b>	<b>55</b>	<b>37.9%</b>	<b>4.3%</b>
<b>Total committee reports</b>	<b>145</b>	<b>95.4%</b>	<b>11.3%</b>
<b>III. CONFIRMATION HEARINGS</b>	<b>1</b>	<b>N/A</b>	<b>N/A</b>
IV. FINAL DISPOSITION	<u>Number</u>	<u>% of Comm Bills/Papers</u>	<u>% of All Bills/Papers</u>
<b>A. Bills and Papers enacted or finally passed</b>			
<i>Joint Study Orders</i>	0	0.0%	0.0%
<i>Public laws</i>	38	25.0%	2.6%
<i>Private and Special Laws</i>	1	0.7%	0.1%
<i>Resolves</i>	0	0.0%	0.0%
<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>39</b>	<b>25.7%</b>	<b>2.7%</b>
<b>B. Resolves to authorize major substantive rules</b>			
Rules authorized without legislative changes	0	0.0%	0.0%
Rules authorized with legislative changes	0	0.0%	0.0%
<u>Rules not authorized by the Legislature</u>	<u>0</u>	<u>0.0%</u>	<u>0.0%</u>
<b>Total number of rules reviewed</b>	<b>0</b>	<b>0.0%</b>	<b>0.0%</b>
<b>C. Bills vetoed or held by Governor</b>			
<i>Vetoes over-riden</i>	12	7.9%	0.8%
<i>Vetoes sustained</i>	5	3.3%	0.3%
<u><i>Held by the Governor</i></u>	<u>0</u>	<u>0.0%</u>	<u>0.0%</u>
<b>Total</b>	<b>17</b>	<b>11.2%</b>	<b>1.2%</b>

\* Total number of bills carried over to the next session includes 3 bills reported out of the LCRED Committee and then carried over on the Special Appropriations Table by SP 555.

**127th LEGISLATURE  
MARINE RESOURCES**

**Summary of Committee Actions**

I. <b>BILLS AND PAPERS CONSIDERED</b>	<u>Number</u>	<u>% of Comm Activity</u>	<u>% of All Bills/Papers</u>
<b>A. Bills referred to Committee</b>			
<i>Bills referred and voted out</i>	25	89.3%	1.7%
<u><i>Bills Carried Over to next session</i></u>	<u>3</u>	<u>10.7%</u>	<u>0.2%</u>
<b>Total Bills referred</b>	<b>28</b>	<b>100.0%</b>	<b>1.9%</b>
<b>B. Bills reported out by law or joint order and not referred back to committee</b>	<b>0</b>	<b>0.0%</b>	<b>0.0%</b>
<b>Total Bills considered by Committee</b>	<b>28</b>	<b>100.0%</b>	<b>1.9%</b>
<b>Orders and Resolutions referred to Committee</b>			
<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%
<i>Orders and Resolutions Carried Over</i>	<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>
		<u>% of this Committee's Reports</u>	<u>% of All Committee Reports</u>
<b>II. COMMITTEE REPORTS</b>	<u>Number</u>		
<b>A. Unanimous committee reports</b>			
<i>Ought to Pass</i>	1	4.0%	0.1%
<i>Ought to Pass as Amended</i>	10	40.0%	0.8%
<i>Leave to Withdraw</i>	1	4.0%	0.1%
<u><i>Ought Not to Pass</i></u>	<u>9</u>	<u>36.0%</u>	<u>0.7%</u>
<b>Total unanimous reports</b>	<b>21</b>	<b>84.0%</b>	<b>1.6%</b>
<b>B. Divided committee reports</b>			
<i>Two-way reports</i>	4	16.0%	0.3%
<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>4</b>	<b>16.0%</b>	<b>0.3%</b>
<b>Total committee reports</b>	<b>25</b>	<b>89.3%</b>	<b>1.9%</b>
<b>III. CONFIRMATION HEARINGS</b>	<b>0</b>	<b>N/A</b>	<b>N/A</b>
		<u>% of Comm Bills/Papers</u>	<u>% of All Bills/Papers</u>
<b>IV. FINAL DISPOSITION</b>	<u>Number</u>		
<b>A. Bills and Papers enacted or finally passed</b>			
<i>Joint Study Orders</i>	0	0.0%	0.0%
<i>Public laws</i>	10	35.7%	0.7%
<i>Private and Special Laws</i>	0	0.0%	0.0%
<i>Resolves</i>	0	0.0%	0.0%
<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>10</b>	<b>35.7%</b>	<b>0.7%</b>
<b>B. Resolves to authorize major substantive rules</b>			
Rules authorized without legislative changes	0	0.0%	0.0%
Rules authorized with legislative changes	0	0.0%	0.0%
<u>Rules not authorized by the Legislature</u>	<u>0</u>	<u>0.0%</u>	<u>0.0%</u>
<b>Total number of rules reviewed</b>	<b>0</b>	<b>0.0%</b>	<b>0.0%</b>
<b>C. Bills vetoed or held by Governor</b>			
<i>Vetoed over-ridden</i>	1	3.6%	0.1%
<i>Vetoed sustained</i>	1	3.6%	0.1%
<u><i>Held by the Governor</i></u>	<u>0</u>	<u>0.0%</u>	<u>0.0%</u>
<b>Total</b>	<b>2</b>	<b>7.1%</b>	<b>0.1%</b>

**127th LEGISLATURE  
STATE AND LOCAL GOVERNMENT**

**Summary of Committee Actions**

<b>I. BILLS AND PAPERS CONSIDERED</b>	<u>Number</u>	<u>% of Comm Activity</u>	<u>% of All Bills/Papers</u>
<b>A. Bills referred to Committee</b>			
<i>Bills referred and voted out and not carried over</i>	60	88.2%	4.1%
<u><i>Bills Carried Over to next session</i></u>	<u>8</u> *	<u>11.8%</u>	<u>0.5%</u>
<b>Total Bills referred</b>	<b>68</b>	<b>100.0%</b>	<b>4.7%</b>
<b>B. Bills reported out by law or joint order and not referred back to committee</b>	<b>0</b>	<b>0.0%</b>	<b>0.0%</b>
<b>Total Bills considered by Committee</b>	<b>68</b>	<b>100.0%</b>	<b>4.7%</b>
<b>Orders and Resolutions referred to Committee</b>			
<i>Joint Study Orders referred and voted out</i>	0	0.0%	0.0%
<i>Joint Resolutions referred and voted out</i>	2	100.0%	0.0%
<i>Orders and Resolutions Carried Over</i>	<u>0</u>	<u>0.0%</u>	<u>0.0%</u>
<b>Total Orders and Resolutions Referred</b>	<b>2</b>	<b>100.0%</b>	<b>0.0%</b>
<b>II. COMMITTEE REPORTS</b>	<u>Number</u>	<u>% of this Committee's Reports</u>	<u>% of All Committee Reports</u>
<b>A. Unanimous committee reports</b>			
<i>Ought to Pass</i>	6	9.5%	0.5%
<i>Ought to Pass as Amended</i>	10	15.9%	0.8%
<i>Leave to Withdraw</i>	1	1.6%	0.1%
<u><i>Ought Not to Pass</i></u>	<u>15</u>	<u>23.8%</u>	<u>1.2%</u>
<b>Total unanimous reports</b>	<b>32</b>	<b>50.8%</b>	<b>2.5%</b>
<b>B. Divided committee reports</b>			
<i>Two-way reports</i>	31	49.2%	2.4%
<i>Three-way reports</i>	0	0.0%	0.0%
<i>Four-way reports</i>	0	0.0%	0.0%
<b>Total divided reports</b>	<b>31</b>	<b>49.2%</b>	<b>2.4%</b>
<b>Total committee reports</b>	<b>63</b>	<b>90.0%</b>	<b>4.9%</b>
<b>III. CONFIRMATION HEARINGS</b>	<b>0</b>	<b>N/A</b>	<b>N/A</b>
<b>IV. FINAL DISPOSITION</b>	<u>Number</u>	<u>% of Comm Bills/Papers</u>	<u>% of All Bills/Papers</u>
<b>A. Bills and Papers enacted or finally passed</b>			
<i>Joint Study Orders</i>	0	0.0%	0.0%
<i>Public laws</i>	14	20.6%	1.0%
<i>Private and Special Laws</i>	0	0.0%	0.0%
<i>Resolves</i>	4	5.9%	0.3%
<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>18</b>	<b>26.5%</b>	<b>1.2%</b>
<b>B. Resolves to authorize major substantive rules</b>			
Rules authorized without legislative changes	0	0.0%	0.0%
Rules authorized with legislative changes	0	0.0%	0.0%
<u>Rules not authorized by the Legislature</u>	<u>0</u>	<u>0.0%</u>	<u>0.0%</u>
<b>Total number of rules reviewed</b>	<b>0</b>	<b>0.0%</b>	<b>0.0%</b>
<b>C. Bills vetoed or held by Governor</b>			
<i>Vetoed over-ridden</i>	4	5.9%	0.3%
<i>Vetoed sustained</i>	3	4.4%	0.2%
<u><i>Held by the Governor</i></u>	<u>0</u>	<u>0.0%</u>	<u>0.0%</u>
<b>Total</b>	<b>7</b>	<b>10.3%</b>	<b>0.5%</b>

\* Total number of bills carried over to the next session includes 1 bill reported out of the SLG Committee and then carried over on the Special Appropriations Table by SP 555.

**127th LEGISLATURE  
TAXATION**

**Summary of Committee Actions**

I. <b>BILLS AND PAPERS CONSIDERED</b>	<u>Number</u>	<u>% of Comm Activity</u>	<u>% of All Bills/Papers</u>
<b>A. Bills referred to Committee</b>			
<i>Bills referred and voted out and not carried over</i>	103	88.8%	7.1%
<u><i>Bills Carried Over to next session</i></u>	13 *	11.2%	0.9%
<b>Total Bills referred</b>	<b>116</b>	<b>100.0%</b>	<b>8.0%</b>
<b>B. Bills reported out by law or joint order and not referred back to committee</b>	<b>0</b>	<b>0.0%</b>	<b>0.0%</b>
<b>Total Bills considered by Committee</b>	<b>116</b>	<b>100.0%</b>	<b>8.0%</b>
<b>Orders and Resolutions referred to Committee</b>			
<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%
<i>Orders and Resolutions Carried Over</i>	<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. <b>COMMITTEE REPORTS</b>	<u>Number</u>	<u>% of this Committee's Reports</u>	<u>% of All Committee Reports</u>
<b>A. Unanimous committee reports</b>			
<i>Ought to Pass</i>	3	2.7%	0.2%
<i>Ought to Pass as Amended</i>	26	23.4%	2.0%
<i>Leave to Withdraw</i>	0	0.0%	0.0%
<u><i>Ought Not to Pass</i></u>	<u>61</u>	<u>55.0%</u>	<u>4.7%</u>
<b>Total unanimous reports</b>	<b>90</b>	<b>81.1%</b>	<b>7.0%</b>
<b>B. Divided committee reports</b>			
<i>Two-way reports</i>	20	18.0%	1.6%
<i>Three-way reports</i>	1	0.9%	0.1%
<u><i>Four-way reports</i></u>	<u>0</u>	<u>0.0%</u>	<u>0.0%</u>
<b>Total divided reports</b>	<b>21</b>	<b>18.9%</b>	<b>1.6%</b>
<b>Total committee reports</b>	<b>111</b>	<b>95.7%</b>	<b>8.6%</b>
<b>III. CONFIRMATION HEARINGS</b>	<b>0</b>	<b>N/A</b>	<b>N/A</b>
IV. <b>FINAL DISPOSITION</b>	<u>Number</u>	<u>% of Comm Bills/Papers</u>	<u>% of All Bills/Papers</u>
<b>A. Bills and Papers enacted or finally passed</b>			
<i>Joint Study Orders</i>	0	0.0%	0.0%
<i>Public laws</i>	13	11.2%	0.9%
<i>Private and Special Laws</i>	0	0.0%	0.0%
<i>Resolves</i>	2	1.7%	0.1%
<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>15</b>	<b>12.9%</b>	<b>1.0%</b>
<b>B. Resolves to authorize major substantive rules</b>			
Rules authorized without legislative changes	0	0.0%	0.0%
Rules authorized with legislative changes	0	0.0%	0.0%
<u>Rules not authorized by the Legislature</u>	<u>0</u>	<u>0.0%</u>	<u>0.0%</u>
<b>Total number of rules reviewed</b>	<b>0</b>	<b>0.0%</b>	<b>0.0%</b>
<b>C. Bills vetoed or held by Governor</b>			
<i>Vetoed over-ridden</i>	3	2.6%	0.2%
<i>Vetoed sustained</i>	4	3.4%	0.3%
<u><i>Held by the Governor</i></u>	<u>0</u>	<u>0.0%</u>	<u>0.0%</u>
<b>Total</b>	<b>7</b>	<b>6.0%</b>	<b>0.5%</b>

\* Total number of bills carried over to the next session includes 8 bills reported out of the TAX Committee and then carried over on the Special Appropriations Table by SP 555.

Prepared by the Office of Policy and Legal Analysis  
127th Legislature, First Regular Session

**127th LEGISLATURE  
TRANSPORTATION**

**Summary of Committee Actions**

<b>I. BILLS AND PAPERS CONSIDERED</b>	<u>Number</u>	<u>% of Comm Activity</u>	<u>% of All Bills/Papers</u>
<b>A. Bills referred to Committee</b>			
<i>Bills referred and voted out</i>	92	94.8%	6.3%
<u><i>Bills Carried Over to next session</i></u>	<u>5</u> *	<u>5.2%</u>	<u>0.3%</u>
<b>Total Bills referred</b>	<b>97</b>	<b>100.0%</b>	<b>6.7%</b>
<b>B. Bills reported out by law or joint order and not referred back to committee</b>			
	0	0.0%	0.0%
<b>Total Bills considered by Committee</b>	<b>97</b>	<b>100.0%</b>	<b>6.7%</b>
<b>Orders and Resolutions referred to Committee</b>			
<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%
<i>Orders and Resolutions Carried Over</i>	<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>
<b>II. COMMITTEE REPORTS</b>			
	<u>Number</u>	<u>% of this Committee's Reports</u>	<u>% of All Committee Reports</u>
<b>A. Unanimous committee reports</b>			
<i>Ought to Pass</i>	8	8.6%	0.6%
<i>Ought to Pass as Amended</i>	33	35.5%	2.6%
<i>Leave to Withdraw</i>	0	0.0%	0.0%
<i>Ought Not to Pass</i>	43	46.2%	3.3%
<u><i>Refer to another committee</i></u>	<u>1</u>	<u>1.1%</u>	<u>0.1%</u>
<b>Total unanimous reports</b>	<b>85</b>	<b>91.4%</b>	<b>6.6%</b>
<b>B. Divided committee reports</b>			
<i>Two-way reports</i>	8	8.6%	0.6%
<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>8</b>	<b>8.6%</b>	<b>0.6%</b>
<b>Total committee reports</b>	<b>93</b>	<b>95.9%</b>	<b>7.2%</b>
<b>III. CONFIRMATION HEARINGS</b>			
	1	N/A	N/A
<b>IV. FINAL DISPOSITION</b>			
	<u>Number</u>	<u>% of Comm Bills/Papers</u>	<u>% of All Bills/Papers</u>
<b>A. Bills and Papers enacted or finally passed</b>			
<i>Joint Study Orders</i>	0	0.0%	0.0%
<i>Public laws</i>	24	24.7%	1.6%
<i>Private and Special Laws</i>	2	2.1%	0.1%
<i>Resolves</i>	8	8.2%	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>34</b>	<b>35.1%</b>	<b>2.3%</b>
<b>B. Resolves to authorize major substantive rules</b>			
Rules authorized without legislative changes	0	0.0%	0.0%
Rules authorized with legislative changes	2	100.0%	10.5%
<u>Rules not authorized by the Legislature</u>	<u>0</u>	<u>0.0%</u>	<u>0.0%</u>
<b>Total number of rules reviewed</b>	<b>2</b>	<b>100.0%</b>	<b>10.5%</b>
<b>C. Bills vetoed or held by Governor</b>			
<i>Vetoes over-ridden</i>	7	7.2%	0.5%
<i>Vetoes sustained</i>	3	3.1%	0.2%
<u><i>Held by the Governor</i></u>	<u>0</u>	<u>0.0%</u>	<u>0.0%</u>
<b>Total</b>	<b>10</b>	<b>10.3%</b>	<b>0.7%</b>

\* Total number of bills carried over to the next session includes 1 bill reported out of the TRA Committee and then carried over on the Special Appropriations Table by SP 555.

**127th LEGISLATURE  
VETERANS' AND LEGAL AFFAIRS**

**Summary of Committee Actions**

I. BILLS AND PAPERS CONSIDERED	<u>Number</u>	<u>% of Comm Activity</u>	<u>% of All Bills/Papers</u>
<b>A. Bills referred to Committee</b>			
<i>Bills referred and voted out</i>	93	89.4%	6.4%
<i><u>Bills Carried Over to next session</u></i>	8 *	<u>7.7%</u>	<u>0.5%</u>
<b>Total Bills referred</b>	<b>101</b>	<b>97.1%</b>	<b>6.9%</b>
<b>B. Bills reported out by law or joint order and not referred back to committee</b>	<b>3</b>	<b>2.9%</b>	<b>0.2%</b>
<b>Total Bills considered by Committee</b>	<b>104</b>	<b>100.0%</b>	<b>7.1%</b>
<b>Orders and Resolutions referred to Committee</b>			
<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%
<i><u>Orders and Resolutions Carried Over from previous session</u></i>	<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>
<b>A. Unanimous committee reports</b>			
<i>Ought to Pass</i>	5	5.1%	0.4%
<i>Ought to Pass as Amended</i>	29	29.6%	2.3%
<i>Leave to Withdraw</i>	3	3.1%	0.2%
<i><u>Ought Not to Pass</u></i>	<u>47</u>	<u>48.0%</u>	<u>3.7%</u>
<b>Total unanimous reports</b>	<b>84</b>	<b>85.7%</b>	<b>6.5%</b>
<b>B. Divided committee reports</b>			
<i>Two-way reports</i>	14	14.3%	1.1%
<i>Three-way reports</i>	0	0.0%	0.0%
<i><u>Four-way reports</u></i>	<u>0</u>	<u>0.0%</u>	<u>0.0%</u>
<b>Total divided reports</b>	<b>14</b>	<b>14.3%</b>	<b>1.1%</b>
<b>Total committee reports</b>	<b>98</b>	<b>94.2%</b>	<b>7.6%</b>
<b>III. CONFIRMATION HEARINGS</b>	<b>0</b>	<b>N/A</b>	<b>N/A</b>
IV. FINAL DISPOSITION	<u>Number</u>	<u>% of Comm Bills/Papers</u>	<u>% of All Bills/Papers</u>
<b>A. Bills and Papers enacted or finally passed</b>			
<i>Joint Study Orders</i>	0	0.0%	0.0%
<i>Public laws</i>	25	24.0%	1.7%
<i>Private and Special Laws</i>	0	0.0%	0.0%
<i>Resolves</i>	2	1.9%	0.1%
<i><u>Constitutional Resolutions</u></i>	<u>0</u>	<u>0.0%</u>	<u>0.0%</u>
<b>Total Enacted or Finally Passed</b>	<b>27</b>	<b>26.0%</b>	<b>1.9%</b>
<b>B. Resolves to authorize major substantive rules</b>			
<i>Rules authorized without legislative changes</i>	0	0.0%	0.0%
<i>Rules authorized with legislative changes</i>	0	0.0%	0.0%
<i><u>Rules not authorized by the Legislature</u></i>	<u>0</u>	<u>0.0%</u>	<u>0.0%</u>
<b>Total number of rules reviewed</b>	<b>0</b>	<b>0.0%</b>	<b>0.0%</b>
<b>C. Bills vetoed or held by Governor</b>			
<i>Vetoes over-ridden</i>	6	5.8%	0.4%
<i>Vetoes sustained</i>	4	3.8%	0.3%
<i><u>Held by the Governor</u></i>	<u>0</u>	<u>0.0%</u>	<u>0.0%</u>
<b>Total</b>	<b>10</b>	<b>9.6%</b>	<b>0.7%</b>

\* Total number of bills carried over to the next session includes 2 bills reported out of the VLA Committee and then carried over on the Special Appropriations Table by SP 555.



-----  
**APPENDIX B**  
-----

**INDEX OF BILLS**

**NOT REFERRED TO COMMITTEE**

**BILLS NOT REFERRED:  
COMMITTEE WHERE SUMMARY MAY BE FOUND**

<u>LD</u>	<u>TITLE</u>	<u>COMMITTEE</u>
33	An Act To Strengthen the Maine Clean Election Act, Improve Disclosure and Make Other Changes to the Campaign Finance Laws	Veterans and Legal Affairs
126	An Act To Restrict Swim Areas	Inland Fisheries and Wildlife
194	An Act To Authorize a General Fund Bond Issue To Encourage Access to Workforce Training and Job Creation	Appropriations and Financial Affairs
241	Resolve, Regarding Metallic Mineral Mining Rules of the Department of Environmental Protection	Environment and Natural Resources
450	An Act To Amend the Laws Regarding the Fund for the Efficient Delivery of Local and Regional Services	State and Local Government
457	An Act To Redistribute the Agricultural Fair Support Fund	Agriculture, Conservation and Forestry
480	An Act To Allow Condominium and Homeowners Associations To Establish Swim Areas	Inland Fisheries and Wildlife
806	An Act To Strengthen the Maine Clean Election Act, Improve Disclosure and Make Other Changes to the Campaign Finance Laws	Veterans and Legal Affairs
918	An Act To Allow Licensed Independent Practice Dental Hygienists To Expose and Process Radiographs under Protocols Developed by the Board of Dental Examiners	Labor, Commerce, Research and Economic Development
968	An Act To Expand Access to Affordable Higher Education and To Strengthen Workforce Development	Education and Cultural Affairs
1024	An Act To Preserve Agricultural Fairs	Agriculture, Conservation and Forestry
1135	An Act Regarding the Requirements for Sprinkler Systems in Townhouses	Criminal Justice and Public Safety
1216	An Act To Improve the Authority of Guardians of Persons with Intellectual Disabilities or Autism	Judiciary
1275	An Act Regarding Notice to the Public Pertaining to a Resident Person Deported from Canada to the United States for Committing a Sex Offense against a Child	Criminal Justice and Public Safety
1427	Resolve, Regarding the Department of Environmental Protection's Rule Chapter 500: Stormwater Management	Environment and Natural Resources

**BILLS NOT REFERRED:  
COMMITTEE WHERE SUMMARY MAY BE FOUND**

<u>LD</u>	<u>TITLE</u>	<u>COMMITTEE</u>
1429	An Act To Amend the Laws Regarding On-premises and Off-premises Liquor Licenses	Veterans and Legal Affairs
1435	An Act Regarding Ethanol-free Motor Fuel	Environment and Natural Resources
1442	An Act To Establish a Bag Limit for Brook Trout on Portions of Webster Stream in Piscataquis County	Inland Fisheries and Wildlife
1444	An Act To Correct an Inconsistency in the So-called Dig Safe Law	Energy, Utilities and Technology
1446	An Act To Authorize a Casino To Benefit Federally Recognized Indian Tribes in the State	Veterans and Legal Affairs
1448	An Act To Amend Education Laws	Education and Cultural Affairs
1449	An Act To Amend the State Election Laws	Veterans and Legal Affairs
1450	An Act To Enact an Interim Budget	Appropriations and Financial Affairs
1451	An Act To Fund the Agreement with Certain Judicial Department Employees	Appropriations and Financial Affairs
1452	An Act To Make Technical Changes to Recently Enacted Legislation	Appropriations and Financial Affairs
1453	An Act To Fund Agreements with Bargaining Units for Certain Executive Branch Employees and Ensure Equitable Treatment for Other Executive Branch Employees	Appropriations and Financial Affairs
1454	Resolve, Reauthorizing the Balance of the 2009 Bond Issue for Land Conservation Projects	Appropriations and Financial Affairs
1455	An Act To Make a Technical Correction to a Recently Enacted Law Regarding the Appointment of District Court Judges	Judiciary