

STATE OF MAINE
126TH LEGISLATURE
FIRST REGULAR SESSION



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

JOINT STANDING COMMITTEE ON TAXATION

July 2013

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Joint Standing Committee on Taxation

LD 9 An Act To Allow the Maine Potato Board To Have Access to Information Regarding the Potato Tax

**PUBLIC 10
EMERGENCY**

| <u>Sponsor(s)</u> | <u>Committee Report</u> | <u>Amendments Adopted</u> |
|-------------------|-------------------------|---------------------------|
| SAUCIER BOYLE | OTP | |

This bill permits the State Tax Assessor to disclose to the Maine Potato Board information obtained in the administration of the potato tax.

Enacted Law Summary

Public Law 2013, chapter 10 permits the State Tax Assessor to disclose to the Maine Potato Board information obtained in the administration of the potato tax.

Public Law 2013, chapter 10 was enacted as an emergency measure effective March 27, 2013.

LD 10 An Act To Provide a Property Tax Exemption for Family Burying Grounds

ONTP

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

This bill exempts family burying grounds of 1/4 of an acre or less from property taxation.

LD 50 An Act To Exempt Fuel Used in Small Commercial Aircraft from Fuel Sales Tax

ONTP

| <u>Sponsor(s)</u> | <u>Committee Report</u> | <u>Amendments Adopted</u> |
|-------------------|-------------------------|---------------------------|
| JOHNSON P | ONTP | |

This bill exempts from fuel sales tax internal combustion engine fuel bought or used to propel an aircraft that weighs 6,000 pounds or less that is used for commercial aviation.

LD 55 An Act To Promote Filmmaking in the State

ONTP

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

This bill provides reimbursement for expenditures made by a visual media production company for a feature film production in rural Maine that occurs primarily before January 1, 2015. Reimbursement is limited to \$800,000 and will be paid in 4 equal annual installments beginning in July 2015.

Joint Standing Committee on Taxation

LD 65 An Act To Reduce the Income Tax on Capital Gains

**ACCEPTED
MAJORITY
(ONTP) REPORT**

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

Currently under state law, long-term capital gains are taxed as regular income. This bill taxes income derived from the sale of assets held for more than one year at 3%.

Committee Amendment "A" (H-13)

This amendment, which is the minority report of the committee, exempts from Maine individual income tax 50% of net long-term capital gains subject to federal income tax for the taxable year. The bill created a separate capital gains income tax rate.

The amendment also adds an appropriations and allocations section to the bill. This amendment was not adopted.

**LD 73 An Act To Exempt Persons 65 Years of Age or Older Whose Income Is
below the Poverty Line from Paying Property Taxes on Their Homes**

ONTP

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

This bill provides an exemption from property taxes for the homestead of a person who is 65 years of age or older and whose income is below certain poverty thresholds.

**LD 107 RESOLUTION, Proposing an Amendment to the Constitution of Maine
To Permit the Legislature To Provide a One-year Period of Penalty
Relief for Withdrawal of Forest Land from Current Use Valuation**

**ACCEPTED
MAJORITY
(ONTP) REPORT**

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

This resolution proposes to amend the Constitution of Maine to permit the Legislature to provide a one-year period of relief from the penalty for withdrawal of forest land from current use valuation if the forest land has been taxed at current use valuation for at least 5 years and the owner is withdrawing at least 50% of the owner's forest land. The availability of the relief period would be limited to no more than once every 5 years.

Committee Amendment "A" (H-14)

This amendment, which is the minority report, adds a requirement that the owner withdrawing the forest land own no more than 25 acres of forest land taxed at current use valuation. This amendment was not adopted.

Joint Standing Committee on Taxation

LD 119 An Act To Exempt from the Use Tax \$1,000 of Internet Purchases from Out-of-state Sellers ONTP

| <u>Sponsor(s)</u> | <u>Committee Report</u> | <u>Amendments Adopted</u> |
|-------------------|-------------------------|---------------------------|
| WILSON MASON G | ONTP | |

This bill allows taxpayers to exclude from their estimated use tax liability \$1,000 of annual Internet purchases from out-of-state sellers.

LD 126 An Act To Provide a Sales Tax Exemption to Incorporated Nonprofit Performing Arts Organizations CARRIED OVER

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

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

Committee Amendment "A" (S-12)

This amendment provides a definition of "performing arts organization." This amendment was not adopted.

Committee of Conference Amendment "A" (S-63)

This amendment, which is the report of a committee of conference, includes a definition of "performing arts organization" and repeals the sales tax exemption for performing arts organizations on October 1, 2015. The amendment directs the joint standing committee of the Legislature having jurisdiction over taxation matters in the First Regular Session of the 127th Legislature to examine the sales tax exemption for performing arts organizations and authorizes the committee to report out a bill on this topic.

This bill was committed to the Joint Standing Committee on Appropriations and Financial Affairs and carried over to any special or regular session of the 126th Legislature by joint order, H.P. 1145, as amended by H-B (H-580) and H-C (H-582).

LD 136 An Act To Amend the Priority of Distribution of Unappropriated Surplus for the Fiscal Year Ending June 30, 2014 DIED ON ADJOURNMENT

| <u>Sponsor(s)</u> | <u>Committee Report</u> | <u>Amendments Adopted</u> |
|-------------------|-------------------------|---------------------------|
| HAYES | OTP-AM | H-82 |

This bill requires the application form for the Circuitbreaker Program to include a method of determining whether the property taxes being claimed have been paid at the time of application to the program. If the State Tax Assessor determines that the property taxes have not been paid, the benefit must be issued to the claimant and the municipality jointly. The municipality is required to endorse the benefit to the claimant but may withhold an amount equal to the amount of property taxes owed for the year for which the benefit is being issued. A municipality may retain an amount in excess of the amount of property taxes owed only with the express written permission of the claimant.

Joint Standing Committee on Taxation

**LD 212 An Act To Provide a Sales Tax Refund for Tobacco Sold to a Member of
a Federally Recognized Indian Tribe for Cultural, Spiritual or
Ceremonial Purposes**

INDEF PP

| <u>Sponsor(s)</u> | <u>Committee Report</u> | <u>Amendments Adopted</u> |
|---------------------|-------------------------|---------------------------|
| MITCHELL HASKELL | OTP-AM | H-43 |

This bill provides a sales tax exemption for the purchase of cigarettes and tobacco products by adult members of federally recognized Indian tribes for cultural, spiritual or ceremonial purposes and requires the State Tax Assessor to work with representatives of federally recognized Indian tribes in the State to establish a process for adult members of federally recognized Indian tribes to purchase cigarettes and tobacco products for cultural, spiritual or ceremonial purposes without payment of the cigarette or tobacco products taxes or to obtain a refund of those taxes.

Committee Amendment "A" (H-43)

This amendment replaces the bill and provides a sales tax refund, rather than a sales tax exemption, for the purchase of loose tobacco for cultural, spiritual or ceremonial purposes by a member of a federally recognized Indian tribe who submits an application and provides documentation of the cost of the purchase and identification demonstrating the person is a member of a federally recognized Indian tribe. It removes provisions that include an exemption for cigarettes and other tobacco products and removes the requirement for the State Tax Assessor to work with tribal representatives to establish a process for a tax-exempt purchase. This amendment was not adopted.

**LD 234 An Act To Provide Tax Treatment Consistency for Limited Liability
Companies and S Corporations**

CARRIED OVER

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

This bill allows a member of a pass-through entity, such as a limited liability company or S corporation, to receive an income tax credit against taxes imposed on that member's distributive share or pro rata share of the pass-through entity's income, and ensures that the amount used to calculate the income tax credit for certain members of pass-through entities cannot also be used as a deduction from income. This bill applies to tax years beginning on or after January 1, 2014.

Committee Amendment "A" (S-11)

This amendment removes references to the Maine Revised Statutes, Title 36, section 5203-C because the state alternative minimum tax imposed does not apply to resident individuals, trusts and estates or nonresident individuals, trusts and estates for tax years beginning on or after January 1, 2012. This amendment also adds an appropriations and allocations section.

This bill was committed to the Joint Standing Committee on Appropriations and Financial Affairs and carried over to any special or regular session of the 126th Legislature by joint order, H.P. 1145, as amended by H-B (H-580) and H-C (H-582).

Joint Standing Committee on Taxation

LD 240 An Act To Allow Motor Fuel Taxable Sales Disclosure

PUBLIC 25

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

This bill provides that monthly reports of the number of gallons of taxable gasoline and special fuel sold in the State are not confidential.

Enacted Law Summary

Public Law 2013, chapter 25 provides that monthly reports of the number of gallons of taxable gasoline and special fuel sold in the State are not confidential.

LD 278 An Act To Provide Greater Access to Capital for Certain Businesses through Assignment of Benefits under the Business Equipment Tax Reimbursement Program and the Maine Employment Tax Increment Financing Program

PUBLIC 67

| <u>Sponsor(s)</u> | <u>Committee Report</u> | <u>Amendments Adopted</u> |
|--------------------|-------------------------|---------------------------|
| PATRICK BENNETT | OTP-AM | S-21 |

This bill allows the Commissioner of Economic and Community Development, under extraordinary circumstances, to provide advance payments of employment tax increment financing benefits to a qualified business based on a net present value calculation of the projected employment tax increment financing benefit to the business. The advance payment must be made in the form of a loan through the Maine Rural Development Authority, pursuant to applicable conditions and requirements.

Committee Amendment "A" (S-21)

This amendment allows the assignment of certain claims for payment under the Business Equipment Tax Reimbursement program and Employment Tax Increment Financing Program to the Finance Authority of Maine in order to secure loans from the Finance Authority of Maine. It also permits the State Tax Assessor to make payments directly to the Finance Authority of Maine in such circumstances and to disclose otherwise protected taxpayer information to the Finance Authority of Maine necessary for the administration of the assignment and payment of the claims.

Enacted Law Summary

Public Law 2013, chapter 67 allows the assignment of certain claims for payment under the Business Equipment Tax Reimbursement program and Employment Tax Increment Financing Program to the Finance Authority of Maine in order to secure loans from the Finance Authority of Maine. It also permits the State Tax Assessor to make payments directly to the Finance Authority of Maine in such circumstances and to disclose otherwise protected taxpayer information to the Finance Authority of Maine necessary for the administration of the assignment and payment of the claims.

Joint Standing Committee on Taxation

LD 279 An Act To Sustain Maine's Aviation Industry by Extending the Exemption from Sales and Use Tax for Aircraft and Parts

PUBLIC 379

| <u>Sponsor(s)</u> | <u>Committee Report</u> | <u>Amendments Adopted</u> |
|-------------------|-------------------------|---------------------------|
| CUSHING GOODE | OTP-AM | S-55 S-335 HILL |

This bill permanently exempts aircraft and aircraft parts from Maine's sales and use tax. The exemption is currently scheduled to expire on June 30, 2015.

Committee Amendment "A" (S-55)

This amendment extends the exemption for aircraft and aircraft parts from Maine's sales and use tax until June 30, 2033; the bill made the exemption permanent. The amendment also requires that, by June 30, 2023, the joint standing committee of the Legislature having jurisdiction over taxation matters review the tax expenditure to determine whether it provides an incentive for increasing investment in the aviation sector, attracting and retaining aviation business and the basing of aircraft in the State. The exemption is currently scheduled to expire on June 30, 2015.

Senate Amendment "A" To Committee Amendment "A" (S-335)

This amendment implements the substance of the changes made in Committee Amendment "A" except that it reflects the changes that were made by Public Law 2013, chapter 368, the so-called unified biennial budget bill.

Enacted Law Summary

Public Law 2013, chapter 379 extends the exemption for aircraft and aircraft parts from Maine's sales and use tax until June 30, 2033; exemption is currently scheduled to expire on June 30, 2015. It also requires that, by June 30, 2023, the Taxation Committee review the tax expenditure to determine whether it provides an incentive for increasing investment in the aviation sector, attracting and retaining aviation business and the basing of aircraft in the State.

LD 316 An Act To Provide Property Tax Relief for Noncombat Veterans

ONTP

| <u>Sponsor(s)</u> | <u>Committee Report</u> | <u>Amendments Adopted</u> |
|-----------------------|-------------------------|---------------------------|
| LIBBY N WHITTEMORE | ONTP | |

This bill provides a \$4,500 property tax exemption to noncombat veterans. It provides the exemption to the unremarried widow or widower or minor child of a veteran who would be entitled to the exemption if living, and to the parent of a deceased veteran who would be entitled to the exemption if living, who is 62 years of age or older and is an unremarried widow or widower who is in receipt of a pension or compensation from the Federal Government based upon the service-connected death of that parent's child.

LD 317 An Act Regarding the Business Equipment Tax Reimbursement Program and the Business Equipment Tax Exemption Program

ONTP

| <u>Sponsor(s)</u> | <u>Committee Report</u> | <u>Amendments Adopted</u> |
|--------------------|-------------------------|---------------------------|
| LIBBY N HASKELL | ONTP | |

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This bill is a concept draft pursuant to Joint Rule 208. This bill proposes to develop a process for identification of the purposes of the Business Equipment Tax Reimbursement program and the business equipment tax exemption program, create a framework for measuring the extent to which the programs meet their identified purposes and identify a mechanism for ongoing measurement of the programs' effectiveness.

LD 318 An Act To Establish a Sales Tax Holiday for Purchases Made during the Month of January

**ACCEPTED
MAJORITY
(ONTP) REPORT**

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

This bill provides a sales tax holiday during the month of January for items of tangible personal property with a price of \$1,000 or less.

Committee Amendment "A" (H-41)

This amendment replaces the bill and creates a one-time sales tax holiday on August 23, 2014, exempting from sales tax the purchase of individual items of clothing costing \$200 or less and individual items of schools supplies costing \$100 or less. It requires the Department of Administrative and Financial Services, Maine Revenue Services to report to the joint standing committee of the Legislature having jurisdiction over taxation matters the estimated impact of the sales tax holiday and recommendations for an annual sales tax holiday beginning in 2015. It authorizes the joint standing committee to submit a bill pertaining to the report to the First Regular Session of the 127th Legislature.

LD 319 Resolve, To Direct the Department of Administrative and Financial Services, Bureau of Revenue Services To Report on Conformity with the Streamlined Sales and Use Tax Agreement

**VETO
SUSTAINED**

| <u>Sponsor(s)</u> | <u>Committee Report</u> | <u>Amendments Adopted</u> |
|-------------------|-------------------------|---------------------------|
| BERRY ALFOND | OTP-AM | H-81 |

Part A of this bill creates a presumption that a seller of goods or services is engaged in business in this State and therefore required to register with the State Tax Assessor as a retailer and collect and remit sales and use tax on purchases made by persons in the State, if a person affiliated with the seller has a substantial presence in the State or a person who has a substantial presence in the State engages in certain activities, such as selling a line of products similar to that of the seller or maintaining an office or distribution center in the State to facilitate the delivery of the seller's products. Alternatively, a seller is presumed to be required to register with the State and collect and remit sales and use tax if the seller has an agreement with a person to refer potential customers to the seller and the seller generates more than \$10,000 in sales in the State annually. Both presumptions may be rebutted. Part A also requires any agreement or ruling by the Governor or an executive branch department or agency that allows a seller to avoid registering as a seller to be approved by both Houses of the Legislature.

Part B directs the Department of Administrative and Financial Services, Bureau of Revenue Services to identify changes in the sales and use tax laws necessary to conform them to the national effort known as the "Streamlined Sales and Use Tax Agreement" and to submit its report and proposed legislation to the Joint Standing Committee on Taxation by January 15, 2014.

Committee Amendment "A" (H-81)

Joint Standing Committee on Taxation

This amendment changes the bill to a resolve and changes the title. It removes the emergency preamble and emergency clause. It retains that part of the bill that directs the Department of Administrative and Financial Services, Bureau of Revenue Services to identify changes in the sales and use tax laws necessary to conform them to the national effort known as the Streamlined Sales and Use Tax Agreement and to submit its report and proposed legislation to the Joint Standing Committee on Taxation by January 15, 2014.

LD 341 An Act To Provide a Tax Credit to Employers That Hire Certain Veterans ONTP

| <u>Sponsor(s)</u> | <u>Committee Report</u> | <u>Amendments Adopted</u> |
|-------------------|-------------------------|---------------------------|
| WILSON PLUMMER | ONTP | |

This bill provides a nonrefundable income tax credit to qualified employers that hire qualified veterans in an amount equal to 10% of each veteran's compensation, up to \$1,500, as long as the veteran is employed for not less than 185 days in the taxable year. The credit may be claimed in the taxable year in which a qualified veteran is hired and the 2 following taxable years of sustained employment. The credit applies to veterans hired on or after January 1, 2013 and before January 1, 2017, and expires January 1, 2019.

LD 346 An Act Concerning the Collection of Sales Tax by Any Businesses Making Sales to Persons in Maine PUBLIC 200

| <u>Sponsor(s)</u> | <u>Committee Report</u> | <u>Amendments Adopted</u> |
|-------------------|-------------------------|---------------------------|
| KNIGHT KATZ | OTP-AM | H-194 S-118 HASKELL |

This bill creates a presumption that a seller of goods or services is engaged in business in this State and therefore required to register with the State Tax Assessor as a retailer and collect and remit sales and use tax on purchases made by persons in the State, if a person affiliated with the seller has a substantial presence in the State or a person who has a substantial presence in the State engages in certain activities, such as selling a line of products similar to that of the seller or maintaining an office or distribution center in the State to facilitate the delivery of the seller's products. Alternatively, a seller is presumed to be required to register with the State and collect and remit sales and use tax if the seller has an agreement with a person to refer potential customers to the seller and the seller generates more than \$10,000 in sales in the State annually. Both presumptions may be rebutted. This bill also requires any agreement or ruling by the Governor or an executive branch department or agency that allows a seller to avoid registering as a seller to be approved by both Houses of the Legislature.

Committee Amendment "A" (H-194)

This amendment changes the title of the bill. It removes the change to the definition of "retailer." It removes the repeal of the registration requirement for every person that makes retail sales in this State of tangible personal property or taxable services on behalf of the owner of that property or the provider of those services. It removes the requirement that any agreement or ruling by the Governor or an executive branch department or agency that allows a seller to avoid registering as a seller must be approved by both Houses of the Legislature.

Senate Amendment "A" (S-118)

This amendment requires the Office of Fiscal and Program Review to provide an update on federal legislation that provides states with the authority to compel remote sellers to collect and remit sales tax to the state in which the purchaser is located and to identify the actions Maine needs to take in order to participate under the federal legislation. This amendment also requires the office to identify changes in the sales and use tax laws necessary to conform them to the national effort known as the Streamlined Sales and Use Tax Agreement and to submit its report

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and proposed legislation to the Joint Standing Committee on Taxation by January 15, 2014. The office is authorized to enlist the assistance of an entity outside of the Legislature to aid in completion of the report.

Enacted Law Summary

Public Law 2013, chapter 200 creates a presumption that a seller of goods or services is engaged in business in this State and therefore required to register with the State Tax Assessor as a retailer and collect and remit sales and use tax on purchases made by persons in the State, if a person affiliated with the seller has a substantial presence in the State or a person who has a substantial presence in the State engages in certain activities, such as selling a line of products similar to that of the seller or maintaining an office or distribution center in the State to facilitate the delivery of the seller's products. Alternatively, a seller is presumed to be required to register with the State and collect and remit sales and use tax if the seller has an agreement with a person to refer potential customers to the seller and the seller generates more than \$10,000 in sales in the State annually. Both presumptions may be rebutted. It requires the Office of Fiscal and Program Review to provide an update on federal legislation that provides states with the authority to compel remote sellers to collect and remit sales tax to the state in which the purchaser is located and to identify the actions Maine needs to take in order to participate under the federal legislation. This amendment also requires the office to identify changes in the sales and use tax laws necessary to conform them to the national effort known as the Streamlined Sales and Use Tax Agreement and to submit its report and proposed legislation to the Joint Standing Committee on Taxation by January 15, 2014. The office is authorized to enlist the assistance of an entity outside of the Legislature to aid in completion of the report.

LD 358 An Act To Protect Family Farms and Working Waterfront Subject to ONTP
Estate Tax and Reduce the Maine Estate Tax Exclusion

| <u>Sponsor(s)</u> | <u>Committee Report</u> | <u>Amendments Adopted</u> |
|----------------------|-------------------------|---------------------------|
| JOHNSON C LIBBY N | 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, 2014. It removes the value of eligible family owned and operated farmland and eligible family owned and operated working waterfront land from the calculation of the Maine estate tax for the estates of decedents who die on or after January 1, 2014.

LD 361 An Act To Promote Plug-in Electric Vehicle Sales ONTP

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

This bill creates an income tax credit for the purchase of a qualified plug-in electric vehicle that is equal to the excise tax paid, up to \$1,000. The credit expires January 1, 2017.

LD 400 An Act To Amend the Maine Tree Growth Tax Law ONTP

| <u>Sponsor(s)</u> | <u>Committee Report</u> | <u>Amendments Adopted</u> |
|--------------------|-------------------------|---------------------------|
| JONES JACKSON T | ONTP | |

This bill provides that a landowner applying for classification of land under the Maine Tree Growth Tax Law must attest that the harvesting of trees on the land will be performed by persons who are residents of the State and that

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forest products from the land will be processed only by processors located in the State.

LD 401 An Act To Provide Local Sales Tax Increment Disbursements

**DIED IN
CONCURRENCE**

| <u>Sponsor(s)</u> | <u>Committee Report</u> | <u>Amendments Adopted</u> |
|-------------------|-------------------------|---------------------------|
| CHASE FLOOD | OTP-AM ONTP | H-166 S-338 HILL |

This bill requires payments beginning in fiscal year 2016-17 to municipalities of an amount equal to 5% of the difference between the sales and use tax attributable to the municipality in a fiscal year and the comparable amounts for fiscal year 2015-16, referred to as the "local sales tax increment." If the amount of sales and use tax collected in a fiscal year in a municipality is below that collected in fiscal year 2015-16, then the municipality receives no payment. 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 same payment as municipalities and is subject to the same requirement to use the revenue to reduce property taxes.

Committee Amendment "A" (H-166)

This amendment requires the State Tax Assessor to determine the amount of the local sales tax increment based on available taxable retail sales data as derived from state sales tax collections excluding data reported in the categories of lodging and restaurants. The bill requires the State Tax Assessor to gather and maintain information that demonstrates the amount of revenue and the amount of local sales tax increment for each fiscal year that is attributable to each municipality and the unorganized territory. The amendment requires that the base year for determining the local sales tax increment be reset every 4 years. It clarifies that the municipality or fiscal administrator of the unorganized territory must use the local sales tax increment payments received to reduce property taxes. The amendment also adds an appropriations and allocations section.

Senate Amendment "A" To Committee Amendment "A" (S-338)

This amendment adds a mandate preamble.

LD 402 An Act To Exempt Members of the Houlton Band of Maliseet Indians from Property Tax

**DIED IN
CONCURRENCE**

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

This bill provides that the Houlton Band of Maliseet Indians and members of the Houlton Band of Maliseet Indians are exempt from property taxes in the State.

Committee Amendment "A" (H-11)

This amendment, which is the minority report of the committee, incorporates a fiscal note. This amendment was not adopted.

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LD 412 An Act To Expand Employment Tax Increment Financing To Support ONTP
Job Creation

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

This bill expands the employment tax increment financing program to include for-profit businesses that add at least 2 new qualified employees within a one-year period.

LD 427 An Act To Authorize Options for Local Revenue Enhancement DIED BETWEEN
HOUSES

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

This bill allows a municipality to impose a local option sales tax, which may be seasonal, of 5% or less by local referendum.

Committee Amendment "A" (H-363)

This amendment, which is the minority report, limits the local option sales tax to 1%, excludes certain items from the base on which a local option sales tax may be imposed and repeals the authorization for a local option sales tax on December 31, 2016. This amendment was adopted in the House, but not in the Senate.

LD 430 An Act To Amend the Laws Regarding Who May Appeal a PUBLIC 45
Reconsideration Decision to the Maine Board of Tax Appeals EMERGENCY

| <u>Sponsor(s)</u> | <u>Committee Report</u> | <u>Amendments Adopted</u> |
|-------------------|-------------------------|---------------------------|
| THOMAS | OTP-AM | S-13 |

Under current law, a petition for appealing a tax or tax refund request that is less than \$5,000 must be appealed to Superior Court. This bill changes the threshold for an appeal to the Maine Board of Tax Appeals to \$250. It also changes the \$150 processing fee for petitions that proceed to an appeals conference to \$25 when the amount of tax or refund request in controversy is less than \$5,000 and \$250 when the amount of tax or refund request in controversy is \$5,000 or more.

Committee Amendment "A" (S-13)

This amendment changes the amount of tax or refund in controversy that is considered a small claim to \$1,000, rather than \$250 as provided for in the bill. It provides that a taxpayer may be represented by an attorney, certified public accountant, enrolled agent, enrolled actuary or any other person permitted to represent the taxpayer before the Maine Board of Tax Appeals. The amendment does not change the amount of the processing fee as was proposed in the bill.

Enacted Law Summary

Public Law 2013, chapter 45 changes the threshold for an appeal to the Maine Board of Tax Appeals rather than directly to Superior Court from to \$5,000 to \$1,000. It provides that a taxpayer may be represented by an attorney,

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certified public accountant, enrolled agent, enrolled actuary or any other person permitted to represent the taxpayer before the Maine Board of Tax Appeals.

Public Law 2013, chapter 45 was enacted as an emergency measure effective March 22, 2013.

LD 435 Resolve, To Require the State Tax Assessor To Develop Agreements with Online Retailers for the Collection of Sales and Use Tax ONTP

| <u>Sponsor(s)</u> | <u>Committee Report</u> | <u>Amendments Adopted</u> |
|-------------------|-------------------------|---------------------------|
| ALFOND KNIGHT | ONTP | |

This resolve requires the State Tax Assessor to enter into negotiations and develop agreements with online retailers for the collection of Maine sales and use tax by those online retailers. An online retailer is defined as a person that makes sales to Maine residents but that does not collect sales and use tax from those Maine residents because the online retailer is not located in Maine. The State Tax Assessor is required to submit a quarterly report to the Joint Standing Committee on Taxation regarding the status of the negotiations.

LD 436 An Act To Raise the Maximum 529 Plan Contribution Tax Deduction CARRIED OVER

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

This bill increases the maximum deduction for contributions to a qualified tuition program established under Section 529 of the United States Internal Revenue Code of 1986 to \$1,000 per designated beneficiary. The change applies to tax years beginning on or after January 1, 2013.

Committee Amendment "A" (S-10)

This amendment changes the increase in the maximum deduction for contributions to a qualified tuition program established under Section 529 of the United States Internal Revenue Code of 1986 to \$500 per designated beneficiary. The bill proposes an increase from \$250 to \$1,000 for tax years starting on or after January 1, 2013.

This bill was committed to the Joint Standing Committee on Appropriations and Financial Affairs and carried over to any special or regular session of the 126th Legislature by joint order, H.P. 1145, as amended by H-B (H-580) and H-C (H-582).

LD 440 An Act To Create a Tax Credit for Primary Care Professionals Practicing in Underserved Areas CARRIED OVER

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

This bill extends the existing dental care access tax credit, which currently allows the Department of Health and Human Services to certify dentists as eligible for the credit through 2015, by eliminating the repeal date of December 31, 2020. It creates a similar credit for primary care professionals practicing in underserved areas. It requires the Department of Health and Human Services oral health program to certify up to 5 eligible dentists who have unpaid student loans and practice full time for at least 5 years in an underserved area for the dental care access credit in each taxable year beginning on January 1, 2016. It requires the Department of Health and Human Services

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to certify up to 5 eligible primary care professionals who have unpaid student loans and practice full time for at least 5 years in an underserved area for the primary care access credit in each taxable year beginning on January 1, 2013. These eligible dentists and primary care professionals may claim a credit, not to exceed \$12,000, for up to 5 years or until their student loans are paid in full, whichever comes first. The credit is nonrefundable.

Committee Amendment "A" (S-24)

This amendment eliminates the provision in the bill that extends the existing dental care access tax credit. It clarifies that in order to be eligible for the primary care access tax credit, the person's unpaid student loan must be owed to an institution for course work directly related to that person's training in primary care medicine. It adds an area with a medically underserved population to the definition of "underserved area." It creates a graduated schedule for claiming the credit allowing an eligible primary care professional to claim an amount equal to the annual payments made on the professional's student loan not to exceed \$6,000 in the first year, \$9,000 in the 2nd year, \$12,000 in the 3rd year, \$15,000 in the 4th year and \$18,000 in the 5th year.

This bill was committed to the Joint Standing Committee on Appropriations and Financial Affairs and carried over to any special or regular session of the 126th Legislature by joint order, H.P. 1145, as amended by H-B (H-580) and H-C (H-582).

LD 455 An Act To Increase the State Earned Income Credit

CARRIED OVER

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

This bill, beginning in 2013, increases the state earned income credit from 5% to 50% of the federal earned income credit and provides that the state earned income credit is fully refundable.

Committee Amendment "A" (H-15)

This amendment changes the increase in the state earned income credit to 10% of the federal earned income credit. The bill changed it from 5% to 50%. The amendment retains the provision that the state earned income credit is fully refundable. The amendment also adds an appropriations and allocations section.

This bill was committed to the Joint Standing Committee on Appropriations and Financial Affairs and carried over to any special or regular session of the 126th Legislature by joint order, H.P. 1145, as amended by H-B (H-580) and H-C (H-582).

LD 492 An Act To Increase Reimbursement to Municipalities under the Maine Tree Growth Tax Law

ONTP

| <u>Sponsor(s)</u> | <u>Committee Report</u> | <u>Amendments Adopted</u> |
|---------------------|-------------------------|---------------------------|
| JACKSON T AYOTTE | ONTP | |

This bill is a concept draft pursuant to Joint Rule 208. This bill proposes to increase reimbursement to municipalities for property tax losses resulting from the current use classification of land under the Maine Tree Growth Tax Law.

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LD 561 An Act To Support Maine Farms and Alleviate Hunger

ONTP

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

This bill provides an income tax credit for a donation of agricultural products with a fair market value of up to \$5,000 made by a person engaged in commercial agricultural production to a nonprofit corporation that provides food to low-income individuals and that does not charge a fee for the food or require any other type of compensation. The credit is repealed December 31, 2017.

LD 562 An Act Related to Service Charges in Lieu of Property Taxes on Tax-exempt Property

ONTP

| <u>Sponsor(s)</u> | <u>Committee Report</u> | <u>Amendments Adopted</u> |
|-------------------|-------------------------|---------------------------|
| WILSON KATZ | ONTP | |

This bill permits municipalities to impose service charges on tax-exempt property owned by nongovernmental institutions and organizations other than educational institutions, houses of worship and parsonages. Service charges must be calculated to cover the cost of services provided and be based on the square footage of building space occupied by the institution or organization unless the municipality determines that a different measure more accurately represents the cost of services for which the charge is imposed. Service charges may be imposed to cover the cost of any services provided by the municipality to the property other than education or general assistance. The bill repeals an existing service charge law that applies to a limited class of property that would be covered under this bill.

LD 563 An Act To Clarify Tax Increment Financing

PUBLIC 184

| <u>Sponsor(s)</u> | <u>Committee Report</u> | <u>Amendments Adopted</u> |
|----------------------|-------------------------|---------------------------|
| ROCHELO DUTREMBLE | OTP-AM | H-193 |

This bill makes changes to the tax increment financing laws to accomplish the following.

1. It amends the definition of "original assessed value" to provide that it means the taxable assessed value of a development district.
2. It eliminates the adjusted \$50,000,000 cap on bonded indebtedness for tax increment financing districts within a county and the requirement that acquisition of real and personal property financed by municipal indebtedness must be completed within 8 years of the approval of a district.
3. It clarifies the 30-tax-year permissible duration of a development program related to a tax increment financing district.
4. It expands the capital costs allowed for an eligible commercial development district and the costs allowed for skills development and training for jobs created or retained in the municipality or plantation where a development district is located and permits the use of funds for economic development grants.

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5. It permits a municipality or plantation to delay the operational functioning of a tax increment financing district until the tax year following the tax year in which the district takes effect.
6. It expands from 20 years to 30 years the allowable maturation period for bonds issued by the legislative body of a municipality or plantation to finance the cost of a development program within a development district.

Committee Amendment "A" (H-193)

This amendment replaces the bill and changes it as follows.

1. It provides that the municipal vote provides the date for determining the original assessed value for development districts and allows flexibility in the review and approval timing by the Department of Economic and Community Development.
2. It retains language pertaining to a statutory cap on areas that may be included in a development district to maintain an exclusion that exists in current law.
3. It clarifies the 30-tax-year permissible duration of a development program related to a tax increment financing district and ties the start of the 30-year period to the date the municipality or plantation begins the operational function of the development program.
4. It removes the provision in the bill that allows as a proposed project cost capital costs for an eligible commercial development district.
5. It clarifies that the proposed project costs allowed for skills development and training for jobs created or retained in the municipality or plantation where a development district is located may include scholarships for tuition at in-state educational institutions or online learning entities when in-state options are not available.
6. It removes the provision that permits a municipality or plantation to delay the operational functioning of a tax increment financing district until a later tax year and allows the municipality or plantation to continue spending tax increment financing revenues for 3 years following the final year of the tax increment financing district.
7. It permits a municipality or plantation to determine the starting date of the development program, which may be the current tax year or a subsequent tax year as specified in the development program.

Enacted Law Summary

Public Law 2013, chapter 184 changes to the tax increment financing laws to accomplish the following.

1. It requires that the municipal vote provides the date for determining the original assessed value for development districts and allows flexibility in the review and approval timing by the Department of Economic and Community Development.
2. It amends the definition of "original assessed value" to provide that it means the taxable assessed value of a development district.
3. It eliminates the adjusted \$50,000,000 cap on bonded indebtedness for tax increment financing districts within a county and the requirement that acquisition of real and personal property financed by municipal indebtedness must be completed within 8 years of the approval of a district.
4. It clarifies the 30-tax-year permissible duration of a development program related to a tax increment financing district.

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- 5. It permits a municipality or plantation to delay the operational functioning of a tax increment financing district until the tax year following the tax year in which the district takes effect.
- 6. It expands from 20 years to 30 years the allowable maturation period for bonds issued by the legislative body of a municipality or plantation to finance the cost of a development program within a development district.
- 7. It clarifies that the proposed project costs allowed for skills development and training for jobs created or retained in the municipality or plantation where a development district is located may include scholarships for tuition at in-state educational institutions or online learning entities when in-state options are not available.

LD 614 An Act To Adjust Fuel Taxes To Improve Sustainability ONTP

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

This bill changes the excise tax on gasoline, distillates and low-energy fuel from a fixed amount per gallon to a formula that includes a fixed amount per gallon plus 5% of the retail value of that gallon.

LD 624 An Act To Encourage Local Business Involvement in Local Schools ONTP

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

This bill provides a nonrefundable income tax credit to a qualified employer equal to the amount expended on a qualified adopt-a-school activity that benefits a public elementary or secondary school. The credit may not exceed 50% of the tax liability of the qualified employer for the taxable year before application of the credit. A qualified adopt-a-school activity includes contributing cash; donating supplies, equipment or other tangible property; providing services to a student at a qualified school at no profit to the qualified employer; providing employees of the qualified employer with paid time off to volunteer at a qualified school; and providing an internship for a student enrolled in a qualified school.

LD 631 An Act To Change the Taxes on Fuel Purchased for Use Other Than on the Highways CARRIED OVER

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

This bill changes the taxes on fuel purchased for use other than for vehicles used on the highways of this State from 1¢ per gallon plus 5% use tax to 5¢ per gallon with no use tax.

Committee Amendment "A" (S-20)

This amendment, which is the minority report, clarifies that a tax on sales, storage or use may not be collected upon or in connection with internal combustion engine fuel or special fuel for which a person has received a refund under the Maine Revised Statutes, Title 36, section 2908 or 3218.

This bill was committed to the Joint Standing Committee on Appropriations and Financial Affairs and carried over

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to any special or regular session of the 126th Legislature by joint order, H.P. 1145, as amended by H-B (H-580) and H-C (H-582).

LD 692 An Act To Provide Funding for Education by Restoring the 8.5 Percent ONTP
Income Tax Rate for High-income Taxpayers

| <u>Sponsor(s)</u> | <u>Committee Report</u> | <u>Amendments Adopted</u> |
|-------------------|-------------------------|---------------------------|
| MACDONALD W | ONTP | |

This bill reinstates the 8.5% tax rate for high-income taxpayers and uses the funds to assist the State in providing at least 55% of the cost of the total allocation for kindergarten to grade 12 education from General Fund revenue sources. The higher tax rates apply to individuals filing married joint returns or surviving spouses who have Maine taxable income of \$275,000 or more, heads of households who have Maine taxable income of \$206,250 or more and single individuals and married persons filing separate returns who have Maine taxable income of \$137,500 or more.

LD 693 An Act To Provide Solar Energy Tax Credits to Maine Homeowners ONTP

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

This bill provides an income tax credit for installations of qualifying solar energy systems. The credits are \$1,000 for installations of qualifying solar energy systems on residential property and \$2,000 for installations of qualifying solar energy systems on commercial property. Installation must be certified by the Efficiency Maine Trust.

LD 698 An Act To Provide an Exemption from Fuel and Sales Taxes to Persons ONTP
Engaged in Snowmobile Trail Grooming

| <u>Sponsor(s)</u> | <u>Committee Report</u> | <u>Amendments Adopted</u> |
|--------------------|-------------------------|---------------------------|
| THOMAS CROCKETT | ONTP | |

This bill makes the existing sales tax exemption for the purchase of snowmobiles and snowmobile trail grooming equipment by snowmobile clubs available to persons operating snowmobile trail grooming equipment registered with the Department of Agriculture, Conservation and Forestry, Division of Parks and Public Lands, Off-road Recreational Vehicle Division. It provides that operating registered snowmobile trail grooming equipment to groom trails financed by the Snowmobile Trail Fund is considered a commercial use for purposes of reimbursement of the tax paid on internal combustion engine fuel.

LD 719 An Act To Ensure Access to Information in the Property Tax PUBLIC 182
Abatement Process

| <u>Sponsor(s)</u> | <u>Committee Report</u> | <u>Amendments Adopted</u> |
|-------------------|-------------------------|---------------------------|
| JOHNSON P | OTP-AM | H-190 |

This bill provides that a property taxpayer applying for or appealing an abatement of property taxes is entitled to notice in writing stating the reason the applicant's request was not fully granted. The bill also provides that if a decision on a request for abatement is not made within the required time period the request is deemed to be

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approved.

Committee Amendment "A" (H-190)

This amendment removes from the bill language establishing that if a decision on a request for abatement is not made within the required time period the request is deemed to be approved. It requires that the notice of decision regarding an abatement request include the reason or reasons supporting the decision to approve or deny the abatement request.

Enacted Law Summary

Public Law 2013, chapter 182 requires that the notice of decision regarding an abatement request include the reason or reasons supporting the decision to approve or deny the abatement request.

LD 720 An Act To Eliminate Sales Tax Exemptions for Snowmobiles and PUBLIC 86
All-terrain Vehicles Purchased by Nonresidents for Use in the State

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

This bill eliminates the sales tax exemptions for all-terrain vehicles and snowmobiles purchased in the State for nonresidents who are required to register and who store or use the snowmobile or all-terrain vehicle in the State.

Committee Amendment "A" (H-42)

This amendment clarifies that the sales tax exemption for the purchase of a snowmobile or all-terrain vehicle by a nonresident applies only when the vehicle is intended to be driven or transported outside the State immediately upon delivery.

Enacted Law Summary

Public Law 2013, chapter 86 eliminates the sales tax exemptions for all-terrain vehicles and snowmobiles purchased in the State for nonresidents who are required to register and who store or use the snowmobile or all-terrain vehicle in the State. The sales tax exemption for a nonresident applies only when the vehicle is intended to be driven or transported outside the State immediately upon delivery.

LD 728 An Act To Amend the Laws Dealing with the Taxing of the Purchase of PUBLIC 156
Extended Service Contracts and Extended Service Contract Claims for
Trucks

| <u>Sponsor(s)</u> | <u>Committee Report</u> | <u>Amendments Adopted</u> |
|-------------------|-------------------------|---------------------------|
| THOMAS DUNPHY | OTP-AM | S-53 |

This bill exempts from sales tax parts used in the repair of a truck pursuant to an extended service contract. Current law provides this exemption for the parts used in the repair of an automobile pursuant to an extended service contract.

Committee Amendment "A" (S-53)

This amendment provides that the sale of an extended service contract on a truck, as defined in the bill, is a taxable service.

Enacted Law Summary

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Public Law 2013, chapter 156 exempts from sales tax parts used in the repair of a truck pursuant to an extended service contract. Instead, sale of extended service contract on a truck is a taxable service. This is consistent with the treatment of exemption for the parts used in the repair of an automobile pursuant to an extended service contract.

LD 734 An Act Relating to the Sales Tax Exemption on Depreciable Equipment VETO
Used in Commercial Wood Harvesting SUSTAINED

| <u>Sponsor(s)</u> | <u>Committee Report</u> | <u>Amendments Adopted</u> |
|-------------------|-------------------------|---------------------------|
| JACKSON T | OTP-AM ONTP | S-99 |

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.

Committee Amendment "A" (S-99)

This amendment incorporates a fiscal note.

LD 741 An Act To Promote Fairness in the Sales Tax Exemption for Vehicles CARRIED OVER
Used in Interstate Commerce

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

This bill provides a sales tax exemption for vehicles used in interstate or foreign commerce, including those without operating authority under 49 Code of Federal Regulations, Section 392.9a.

Committee Amendment "A" (S-54)

This amendment clarifies that it is the purchaser who places property for use in interstate or foreign commerce.

This bill was committed to the Joint Standing Committee on Appropriations and Financial Affairs and carried over to any special or regular session of the 126th Legislature by joint order, H.P. 1145, as amended by H-B (H-580) and H-C (H-582).

LD 743 An Act To Extend and Improve the Maine Seed Capital Tax Credit HELD BY
Program GOVERNOR

| <u>Sponsor(s)</u> | <u>Committee Report</u> | <u>Amendments Adopted</u> |
|----------------------|-------------------------|---------------------------|
| VALENTINO HOBBINS | OTP-AM | S-213 S-341 HILL |

This bill extends the Maine Seed Capital Tax Credit Program, which is approaching the statutory cap on credits that can be authorized, and makes a number of improvements and clarifications. The bill makes the amount of the tax credit the same for individual investors and venture capital funds, clarifies that producers of value-added natural resource products are eligible, removes the ambiguous eligibility for businesses that "bring capital into the State" and specifies that eligible businesses must certify that the investment is necessary to allow the business to create or retain jobs in the State. The bill increases the maximum annual sales limit of \$3,000,000, which has been in effect

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since 1997, to \$5,000,000 for investments made in 2014 or after. The bill authorizes additional tax credits of \$2,000,000 for investments made between June 1, 2013 and December 31, 2013, \$4,000,000 for investments made in calendar year 2014 and \$5,000,000 each year for investments made in each subsequent year. An investor in a venture capital fund requesting a refundable tax credit may not file for a refund until the calendar year after the calendar year in which the investment is made.

Committee Amendment "A" (S-213)

This amendment clarifies that investors other than private venture capital funds are eligible for a tax credit certificate. It requires businesses applying under the Maine Seed Capital Tax Credit Program to certify that the amount of the credit is necessary to allow the business to create or retain jobs in the State. It adds a definition of "value-added" and applies it to the term "natural resource enterprise," which is a defined term. It limits the availability of the tax credit for private venture capital funds to \$500,000 times the number of investors in the fund or \$4,000,000, whichever is less.

Senate Amendment "A" To Committee Amendment "A" (S-341)

This amendment limits the amount of additional seed capital tax credit certificates that may be issued to \$675,000 between January 1, 2014 and December 31, 2014, \$4,000,000 for investments made in calendar year 2015 and \$5,000,000 each year for investments made in calendar years beginning with 2016.

LD 762 An Act To Facilitate Collection of Property Taxes on Personal Property ONTP

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

This bill requires owners of personal property subject to property tax to provide upon request of the person responsible for assessment of taxes the information necessary to establish a lien on the personal property.

LD 815 An Act To Tax Political Action Committees INDEF PP

| <u>Sponsor(s)</u> | <u>Committee Report</u> | <u>Amendments Adopted</u> |
|-------------------|-------------------------|---------------------------|
| HAYES | TAX REF TO VLA | |

This bill imposes a tax on political action committees equal to 5% of the amount contributed to the committees. The tax must be reported and may be paid by political action committees at the same time as campaign reports under the election laws.

LD 816 An Act To Reduce the Property Tax Burden and Improve the Circuitbreaker Program CARRIED OVER

| <u>Sponsor(s)</u> | <u>Committee Report</u> | <u>Amendments Adopted</u> |
|-------------------|-------------------------|---------------------------|
| POWERS HASKELL | | |

This bill is a concept draft pursuant to Joint Rule 208. This bill proposes to improve the Circuitbreaker Program by simplifying the determination of eligibility, transitioning the application period to the income tax filing period, permitting application to be made through the Department of Health and Human Services' integrated eligibility system and ensuring an adequate source of funding.

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This bill was carried over to any special or regular session of the 126th Legislature by joint order, H.P. 1145, as amended by H-B (H-580) and H-C (H-582).

LD 834 An Act To Make the Income Tax More Equitable for Citizens of the State ONTP

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

This bill reinstates the 8.5% tax rate for high-income taxpayers. The higher tax rates apply to individuals filing married joint returns or surviving spouses who have Maine taxable income of \$250,000 or more, heads of households who have Maine taxable income of \$187,500 or more and single individuals and married persons filing separate returns who have Maine taxable income of \$125,000 or more.

LD 866 An Act To Create an Income Tax Credit for Educational Supplies Purchased by Public School Employees ONTP

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

This bill provides an income tax credit of up to \$500 to teachers and educational support staff for the purchase of books, supplies, supplementary materials, services and equipment, including computer equipment and related software, that is used for teaching students at the high school level and in elementary grades in a public school.

LD 901 An Act To Modify the Mining Excise Tax ACCEPTED MAJORITY (ONTP) REPORT

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

This bill establishes an annual water quality surtax on water contamination resulting from mining. The tax is equal to \$1 per gallon of groundwater and surface water that is contaminated adjusted to reflect the degree of contamination resulting from mining activities.

Committee Amendment "A" (H-364)

This amendment, which is the minority report, incorporates a fiscal note. This amendment was not adopted.

LD 915 An Act To Expand the Sales Tax Exemption for Certain Public Libraries To Include Sales by Those Libraries or Their Supporting Organizations PUBLIC 420

| <u>Sponsor(s)</u> | <u>Committee Report</u> | <u>Amendments Adopted</u> |
|-----------------------|-------------------------|---------------------------|
| TIPPING-SPITZ CAIN | OTP-AM | H-119 |

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This bill expands the sales tax exemption for sales to nonprofit free public lending libraries that receive public funding to include sales by those libraries or by nonprofit corporations organized to support such libraries.

Committee Amendment "A" (H-119)

This amendment clarifies that the expansion of the sales tax exemption for sales to nonprofit free public lending libraries that receive public funding includes sales by those libraries or by nonprofit corporations organized to support those libraries as long as the proceeds from the sales are used to benefit those libraries.

Enacted Law Summary

Public Law 2013, chapter 420 expands the sales tax exemption for sales to nonprofit free public lending libraries that receive public funding to include sales by those libraries or by nonprofit corporations organized to support such libraries.

LD 916 An Act To Promote Investment in Maine's Communications Network and Natural Gas Network CARRIED OVER

| <u>Sponsor(s)</u> | <u>Committee Report</u> | <u>Amendments Adopted</u> |
|-------------------|-------------------------|---------------------------|
| BROOKS HASKELL | | |

This bill provides sales tax exemptions for telecommunications equipment sold to a provider of telecommunications services and natural gas heating equipment sold to a business or residential consumer.

This bill was carried over to any special or regular session of the 126th Legislature by joint order, H.P. 1145, as amended by H-B (H-580) and H-C (H-582).

LD 936 An Act To Authorize Municipalities To Impose Service Charges on Tax-exempt Property Owned by Certain Nonprofit Organizations CARRIED OVER

| <u>Sponsor(s)</u> | <u>Committee Report</u> | <u>Amendments Adopted</u> |
|--------------------|-------------------------|---------------------------|
| CHASE THIBODEAU | | |

This bill authorizes municipalities to impose service charges on owners of certain real property that is currently exempt from property tax.

This bill was carried over to any special or regular session of the 126th Legislature by joint order, H.P. 1145, as amended by H-B (H-580) and H-C (H-582).

LD 956 An Act To Improve and Simplify the Application for Benefits under the Circuitbreaker Program ONTP

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

This bill makes the following changes to the Maine Residents Property Tax Program, also known as the Circuitbreaker Program.

1. The bill simplifies the income calculation by excluding from household income the income of dependents and

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certain miscellaneous income. It also excludes from household income other income, such as nontaxable strike benefits, but only if the total of that income is less than \$5,000.

2. The bill changes the time for filing an application. For calendar year 2013 benefits, the application period is August 1, 2014 through May 31, 2015. For calendar year 2014 benefits, the application period is August 1, 2015 through November 30, 2015. For benefit periods after 2014, the application must be filed during or after January and on or before the following November 15th.

3. The bill expands eligibility under the program by increasing maximum income thresholds from \$60,000 to \$80,000 for single-member households and from \$80,000 to \$110,000 for households with 2 or more members.

4. The bill also increases the maximum benefit from \$2,000 to \$3,000.

LD 979 An Act To Exempt the Sale of the United States Flag from the Sales Tax CARRIED OVER

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

This bill exempts sales of the United States flag made entirely of cloth from sales tax.

Committee Amendment "A" (H-122)

This amendment, which is the minority report, clarifies that the sales tax exemption for the United States flag applies to a flag made of cloth or similar material, but it may include grommets or noncloth fasteners for use in displaying the flag.

This bill was committed to the Joint Standing Committee on Appropriations and Financial Affairs and carried over to any special or regular session of the 126th Legislature by joint order, H.P. 1145, as amended by H-B (H-580) and H-C (H-582).

LD 980 An Act To Provide an Income Tax Credit for a Qualified Conservation Contribution ONTP

| <u>Sponsor(s)</u> | <u>Committee Report</u> | <u>Amendments Adopted</u> |
|-------------------|-------------------------|---------------------------|
| WELSH MAZUREK | ONTP | |

This bill provides a nonrefundable income tax credit in an amount equal to 50% of a qualified conservation contribution in tax years beginning on or after January 1, 2013. The credit may be carried forward for up to 25 years.

LD 988 An Act To Amend the Tax Laws PUBLIC 331

| <u>Sponsor(s)</u> | <u>Committee Report</u> | <u>Amendments Adopted</u> |
|-------------------|-------------------------|---------------------------|
| HASKELL KNIGHT | OTP-AM | S-214 |

This bill makes the following changes to the laws governing taxation.

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1. It clarifies that in the Maine Revised Statutes, Title 36 "board" refers to the Maine Board of Tax Appeals only in certain provisions.
2. It clarifies language regarding a taxpayer's appeal rights by eliminating references to an informal conference. It also clarifies that a taxpayer is not limited to filing an appeal with the Superior Court when appealing a reconsideration decision. It makes those changes retroactive.
3. It corrects a reference to the state telecommunications excise tax under Title 36, section 187-B.
4. It deletes an obsolete reference to watercraft under Title 36, section 1760, subsection 45.
5. It amends the law applying the sales and use tax to casual sales of certain items, including automobiles, so that the tax does not apply when the purchaser is a corporation or other business entity and the seller owns 50% or more of the stock or other ownership interests of the purchaser.
6. It adds to the law governing the method of computing the amount of tax imposed on the gross direct premiums from insurance contracts a cross-reference to a recently enacted provision of law regarding taxation of nonadmitted insurance coverage.
7. It removes the requirement to modify the federal gross estate by the Maine qualified terminable interest property in order to avoid skewing the ratio that is applied to determine the Maine estate tax.
8. It amends the Maine estate tax law related to estates of decedents dying after 2012 pertaining to the filing requirement for the Maine estate tax to include Maine elective property and only gifts made within one year before death.
9. It simplifies and clarifies the statutory provisions that impose the Maine blueberry tax and associated reporting requirements.
10. It amends the provision regarding the income subtraction modification of military survivor benefit payments to clarify that the modification is limited to benefits paid on a death resulting from military service. It also adds a cross-reference to the individual income tax pension deduction law that applies to tax years beginning after 2013.
11. It repeals and replaces the provision regarding the income subtraction modification for non-Maine active duty military pay in order to clarify under what conditions the military pay is eligible for the modification.
12. It repeals the definition of a term relevant to the new markets capital investment credit that was erroneously included in the section of law governing the Maine capital investment credit and inserts that definition into the relevant provision. These changes are made retroactive to the effective date of the law enacting the new markets capital investment credit.
13. It deletes changes to the minimum tax credit made in Public Law 2011, chapter 644, section 27 that require the credit to be reduced by certain other refundable tax credits claimed by the taxpayer.

Committee Amendment "A" (S-214)

This amendment adds Parts A and B to the bill and makes the contents of the bill Part C, as well as making further changes to the bill in Part C.

Part A:

1. Amends tax law regarding the issuance and renewal of resale certificates to provide the State Tax Assessor with

Joint Standing Committee on Taxation

greater flexibility in allowing the renewal of resale certificates;

2. Amends tax law regarding the imposition of the Maine estate tax lien to exempt real property passing to a surviving joint tenant who is also a surviving spouse of the decedent from the Maine estate tax lien and to provide a 10-year expiration period for Maine estate tax liens; and
3. Amends tax law concerning the income addition modification regarding certain estate tax administration expenses to include the new Maine estate tax law applicable to estates of decedents dying on or after January 1, 2013.

Part B:

1. Gives taxpayers 20 days after filing a statement of appeal with the Maine Board of Tax Appeals in which to request an appeals conference. Unlike the current statutory language, which requires a conference to be requested in the statement of appeal, this gives a taxpayer who does not realize that conferences are available until after filing a statement of appeal the ability to request one within a reasonable amount of time; and
2. Provides in the exemptions provisions of the law regarding the confidentiality of tax records that the Department of Administrative and Financial Services, Bureau of Revenue Services may disclose to the Maine Board of Tax Appeals only confidential taxpayer information that is pertinent to an appeal before the board and that the board may disclose confidential taxpayer information only to the extent that it is necessary for the resolution of an appeal. The board may also publish its decisions in redacted format to provide guidance regarding Maine tax law to taxpayers and professionals while protecting the identity of the taxpayer involved in the appeal and any confidential tax information.

Part C:

1. Adds to the bill's changes to a definition of "board," referring to the Maine Board of Tax Appeals, a reference to language added in Part B regarding confidential taxpayer information;
2. Changes the bill to take into account recently enacted law; and
3. Changes the bill to clarify that personal home care services are subject to the service provider tax as private nonmedical institution services are, aligning the language with that used in Department of Health and Human Services rules. It makes changes to the wild blueberry tax provisions to clarify which party is responsible for paying the tax and that the tax is levied on the unprocessed weight of the blueberries received by a processor.

Enacted Law Summary

Public Law 2013, chapter 331 makes the following changes to the laws governing taxation.

1. It clarifies that in the Maine Revised Statutes, Title 36 "board" refers to the Maine Board of Tax Appeals only in certain provisions.
2. It clarifies language regarding a taxpayer's appeal rights by eliminating references to an informal conference. It also clarifies that a taxpayer is not limited to filing an appeal with the Superior Court when appealing a reconsideration decision. It makes these changes retroactive.
3. It corrects a reference to the state telecommunications excise tax under Title 36, section 187-B.
4. It deletes an obsolete reference to watercraft under Title 36, section 1760, subsection 45.
5. It amends the law applying the sales and use tax to casual sales of certain items, including automobiles, so that

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the tax does not apply when the purchaser is a corporation or other business entity and the seller owns 50% or more of the stock or other ownership interests of the purchaser.

6. It adds to the law governing the method of computing the amount of tax imposed on the gross direct premiums from insurance contracts a cross-reference to a recently enacted provision of law regarding taxation of nonadmitted insurance coverage.
7. It removes the requirement to modify the federal gross estate by the Maine qualified terminable interest property in order to avoid skewing the ratio that is applied to determine the Maine estate tax.
8. It amends the Maine estate tax law related to estates of decedents dying after 2012 pertaining to the filing requirement for the Maine estate tax to include Maine elective property and only gifts made within one year before death.
9. It simplifies and clarifies the statutory provisions that impose the Maine blueberry tax and associated reporting requirements.
10. It amends the provision regarding the income subtraction modification of military survivor benefit payments to clarify that the modification is limited to benefits paid on a death resulting from military service. It also adds a cross-reference to the individual income tax pension deduction law that applies to tax years beginning after 2013.
11. It repeals and replaces the provision regarding the income subtraction modification for non-Maine active duty military pay in order to clarify under what conditions the military pay is eligible for the modification.
12. It repeals the definition of a term relevant to the new markets capital investment credit that was erroneously included in the section of law governing the Maine capital investment credit and inserts that definition into the relevant provision. These changes are made retroactive to the effective date of the law enacting the new markets capital investment credit.
13. It deletes changes to the minimum tax credit made in Public Law 2011, chapter 644, section 27 that require the credit to be reduced by certain other refundable tax credits claimed by the taxpayer.
14. It provides greater flexibility in the renewal of resale certificates.
15. It provides for changes to reflect the estate tax law applicable to estates on or after January 1, 2013 and includes provisions for the automatic release of the estate tax lien.
16. It provides a mechanism for taxpayers to request an appeal conference after filing a statement of appeal and clarifies confidentiality provisions regarding the disclosure of taxpayer information to the Maine Board of Appeals by Maine Revenue Services.
17. It clarifies that the term "personal home care" has the same meaning as "private nonmedical institution" in the application of the service provided tax in order to align the language with that used in the Department of Health and Human Services rule.
18. It makes changes to the wild blueberry tax provisions to clarify which party is responsible for paying the tax and that the tax is levied on the unprocessed weight of the blueberries received by a processor.

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LD 989 An Act To Conform the Maine Tax Laws for 2012 to the United States Internal Revenue Code ONTP

| <u>Sponsor(s)</u> | <u>Committee Report</u> | <u>Amendments Adopted</u> |
|-------------------|-------------------------|---------------------------|
| HASKELL KNIGHT | ONTP | |

This bill updates references to the United States Internal Revenue Code contained in the Maine Revised Statutes, Title 36 so that they refer to the United States Internal Revenue Code of 1986 as amended through December 31, 2012 for tax years beginning on or after January 1, 2012 and for any prior tax years as specifically provided by the United States Internal Revenue Code of 1986. The bill primarily affects the State's income tax laws.

See LD 1509.

LD 996 An Act To Improve the Accuracy of Fuel Tax Reporting CARRIED OVER

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

This bill improves the accuracy of Maine's fuel taxes by taking temperature into account when calculating inventory taxes on internal combustion engine fuel and special fuel. Given Maine's climate, fuel distributors, wholesalers, importers and exporters experience fuel shrinkage during cold weather periods. Currently, taxes are based on gross fuel amounts without adjustments for temperature or barometric pressure. This bill provides consistency with practices in other states by requiring that fuel be measured in gallons after it is adjusted to a temperature of 60 degrees Fahrenheit and a barometric pressure of 14.7 pounds per square inch or in gross gallons if elected by the licensed supplier or licensed distributor.

Committee Amendment "A" (S-109)

This amendment replaces the bill and allows, beginning with tax returns filed for calendar year 2014, an option of using net gallons, which take temperature into account, when calculating inventory taxes on internal combustion engine fuel and special fuel instead of taking the allowance for certain losses.

This bill was carried over to any special or regular session of the 126th Legislature by joint order, H.P. 1145, as amended by H-B (H-580) and H-C (H-582).

LD 998 An Act To Provide Consistency in the Application of the Property Tax Exemption for Religious Organizations CARRIED OVER

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

This bill expands the property tax exemption for property owned by religious organizations to include all real and personal property owned and occupied or used solely for its own purposes by a religious organization in connection with religious worship and removes the \$20,000 limitation on the exemption for parsonages and the \$6,000 limitation on the exemption for personal property.

Committee Amendment "A" (S-135)

Joint Standing Committee on Taxation

This amendment changes the bill by retaining the \$20,000 limitation on the value of a parsonage. Like the bill, it expands the property tax exemption for property owned by religious organizations to include all real and personal property owned and occupied or used solely for its own purposes by a religious organization in connection with religious worship and removes the limitation of \$6,000 on the exemption for personal property. This amendment also adds an appropriations and allocations section.

This bill was committed to the Joint Standing Committee on Appropriations and Financial Affairs and carried over to any special or regular session of the 126th Legislature by joint order, H.P. 1145, as amended by H-B (H-580) and H-C (H-582).

LD 1007 An Act Relating to Precious Metal Coins

**ACCEPTED
MAJORITY
(ONTP) REPORT**

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

This bill exempts from the sales tax gold and silver coins minted by the United States Department of the Treasury, United States Mint.

Committee Amendment "A" (H-114)

This amendment incorporates a fiscal note.

LD 1099 An Act To Provide an Internship Employment Tax Credit

**ACCEPTED
MAJORITY
(ONTP) REPORT**

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

This bill creates a tax credit for employers that employ qualified interns. The employer is entitled to a nonrefundable credit equal to 10% of the wages, stipend or salary paid to the intern and may not receive more than \$3,000 in total credits for all taxable years combined. The credit applies to the wages, stipend or salary of no more than 5 interns employed at the same time.

Committee Amendment "A" (S-95)

This amendment, which is the minority report of the committee, adds an appropriations and allocations section to the bill.

LD 1109 An Act To Clarify the Maine New Markets Capital Investment Program Tax Credit

**PUBLIC 75
EMERGENCY**

| <u>Sponsor(s)</u> | <u>Committee Report</u> | <u>Amendments Adopted</u> |
|-------------------|-------------------------|---------------------------|
| STANLEY THOMAS | OTP-AM | H-57 |

Joint Standing Committee on Taxation

This bill amends the laws governing the Maine New Markets Capital Investment Program tax credit to clarify that the limitation on the amount of investment that may be made with respect to certain qualified active low-income community businesses is \$40,000,000 per project constructed, maintained or operated.

Committee Amendment "A" (H-57)

This amendment provides that the maximum investments of \$10,000,000 and \$40,000,000 are on a per project basis regardless of whether there is common ownership of each project. It provides definitions for the term "project." It requires that projects to which the \$40,000,000 limitation applies must create or retain more than 200 jobs and that component pieces of an integrated manufacturing or production process do not qualify as a project.

Enacted Law Summary

Public Law 2013, chapter 75 amends the laws governing the Maine New Markets Capital Investment Program tax credit to clarify that the limitation on the amount of investment that may be made with respect to certain qualified active low-income community businesses is \$40,000,000 per project constructed, maintained or operated. It provides that the maximum investments of \$10,000,000 and \$40,000,000 are on a per project basis regardless of whether there is common ownership of each project. It provides definitions for the term "project." It requires that projects to which the \$40,000,000 limitation applies must create or retain more than 200 jobs and that component pieces of an integrated manufacturing or production process do not qualify as a project.

Public Law 2013, chapter 75 was enacted as an emergency measure effective May 7, 2013.

LD 1110 An Act To Simplify the Tax Code ONTP

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

This bill repeals, for tax years beginning on or after January 1, 2015, the state income tax and broadens the sales tax to include the end use of all items, products and services, including Internet sales. It repeals all sales tax exemptions. It provides a sales tax reimbursement for sales of grocery staples to persons with incomes less than \$20,000. It requires the Department of Administrative and Financial Services, Bureau of Revenue Services to submit a report to the Joint Standing Committee on Taxation that provides a plan to implement the sales tax changes and the repeal of the income tax including a timeline, cost analysis and statutory changes. It authorizes the joint standing committee to report out a bill to the Second Regular Session of the 126th Legislature based on the report.

LD 1113 An Act To Provide Tax Fairness to Maine's Middle Class and Working Families DIED BETWEEN HOUSES

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

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

This bill proposes emergency legislation to accomplish the following goals:

- (1) To equalize the total state and local effective tax rate paid by low-income, middle-income and high-income Maine tax filers;

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(2) To partially fund the income and estate tax reductions of Public Law 2011, chapter 380 by providing revenue of between \$150,000,000 and \$250,000,000 over the next 2 years; and

(3) To maintain an equalized state and local tax rate while enabling future changes that may also simplify Maine's tax code, stabilize revenues and reduce the tax burden on Maine residents.

To accomplish these goals, the bill proposes to establish a tax equalization assessment on those income tax filers who have an annual income equal to or exceeding \$250,000, but whose total effective state and local tax rate is lower than the average effective state and local tax rate for all other Maine households. The tax equalization assessment must bring the total effective state and local tax rate of these tax filers to the average rate paid by all other Maine households, as determined by the Department of Administrative and Financial Services, Bureau of Revenue Services. The tax equalization assessment must be structured for both administrative simplicity and tax parity and must apply to tax years beginning on or after January 1, 2013.

The bill also proposes to establish a tax equalization credit for those income tax filers who have an annual income below \$125,000, but who pay a total effective state and local tax rate that is significantly higher than the average effective state and local tax rate for all other Maine households. The tax equalization credit may be structured as an expansion of an existing credit or refund or may replace and enhance such credits or refunds. The tax equalization credit must be funded entirely by the tax equalization assessment and must bring the total effective state and local tax rate of these tax filers as nearly as possible to the average rate paid by all other Maine households, as determined by the Department of Administrative and Financial Services, Bureau of Revenue Services. The tax equalization credit must be structured for both administrative simplicity and tax parity and must be made effective beginning January 1, 2016. For the purposes of calculating the tax equalization assessment and credit, the rate impact of the tax equalization assessment and credit from the previous year must be excluded from the determination of the average effective state and local tax rate paid by all Maine households.

In addition, the bill proposes that the State Tax Assessor be required to report to the joint standing committee of the Legislature having jurisdiction over appropriations and financial affairs and the joint standing committee of the Legislature having jurisdiction over taxation matters each year with respect to the total effective state and local tax rate for Maine residents, nonresidents and businesses, as well as the aggregate rate impact of the tax equalization assessment and credit. Upon receiving this report, the joint standing committee of the Legislature having jurisdiction over taxation matters is authorized to report out legislation to simplify and to further equalize the tax code, as well as legislation to repeal or modify the tax equalization assessment and credit once it determines the overall state and local tax burden to be fair and proportionate for all.

Committee Amendment "A" (H-526)

This amendment, which replaces the concept draft, does the following.

1. For tax years beginning on or after January 1, 2014, it requires payment of a tax equalization assessment if a tax family has an expanded income of at least \$250,000 for a tax family filing as a single individual, \$325,000 for a tax family filing as a head of a household or \$400,000 for a tax family filing a married joint return or filing a joint return as a surviving spouse, and an effective tax rate that is less than the average effective tax rate on state and local taxes paid by the bottom 99% of tax families.

2. For property tax years beginning on or after April 1, 2014, it increases the amount of the Maine resident homestead property tax exemption to \$30,000 of the just value of the homestead.

3. For application periods beginning on or after August 1, 2014, it increases the maximum payment under the Circuitbreaker Program from \$2,000 to \$2,500.

The amendment adds an appropriations and allocations section.

House Amendment "A" To Committee Amendment "A" (H-565)

Joint Standing Committee on Taxation

This amendment:

1. Removes the changes proposed by Committee Amendment "A" to the Maine resident homestead property tax exemption and the Circuitbreaker Program;
2. Changes the effective date of the tax equalization assessment to apply to tax years beginning on or after January 1, 2013;
3. Applies the revenue generated by the tax equalization assessment to State-municipal revenue sharing for fiscal years 2013-14 and 2014-15; and
4. Authorizes the Joint Standing Committee on Taxation to report out a bill to the Second Regular Session of the 126th Legislature that increases the benefit under the Maine resident homestead property tax exemption and any other program that benefits Maine residents for property taxes imposed on their homesteads.

This amendment was adopted in the House, but was not adopted in the Senate.

LD 1120 An Act To Improve Maine's Tax Laws

CARRIED OVER

Sponsor(s)

GOODE
HASKELL

Committee Report

Amendments Adopted

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

This bill proposes to improve the tax laws by:

1. Amending the law to reduce the use of so-called off-shore tax havens, thus reducing the loss of revenue to the State; and
2. Establishing a task force to undertake a comprehensive analysis of the biennial report of tax expenditures prepared by the Department of Administrative and Financial Services, Bureau of Revenue Services pursuant to the Maine Revised Statutes, Title 36, chapter 10. The task force shall identify any tax expenditures that may be reduced or eliminated with the goal of achieving a targeted savings of \$30,000,000 in fiscal year 2014-15.

This bill was carried over to any special or regular session of the 126th Legislature by joint order, H.P. 1145, as amended by H-B (H-580) and H-C (H-582).

LD 1124 An Act To Provide Income Tax Relief

ONTP

Sponsor(s)

STUCKEY
ALFOND

Committee Report

ONTP

Amendments Adopted

This bill reforms the Maine income tax by establishing a rate structure that includes 6 income tax bracket thresholds with top marginal tax rates from 0% to 10%. The income thresholds for each rate are calculated by the State Tax Assessor every 5 years to maintain the same level of progressivity of the tax by maintaining the same percentage of taxpayers in each top marginal rate category.

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LD 1126 An Act Regarding Corporate Income Tax Disclosure

ONTP

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

This bill requires a corporation that files a tax return with the State to file a tax disclosure statement with the Secretary of State. It requires the Secretary of State to adopt major substantive rules for the content of the tax disclosure statement, an alternative tax disclosure statement, procedures and fees to provide public access to the tax disclosure statements, oversight and penalties for failing to file or filing an inaccurate tax disclosure statement. It permits a corporation that files a tax disclosure statement to submit supplemental information that could facilitate proper interpretation of the information included in the tax disclosure statement. It requires a corporation that files an amended tax return or with a tax liability that is changed as the result of an uncontested audit adjustment or final determination by the Department of Administrative and Financial Services, Bureau of Revenue Services, the Maine Board of Tax Appeals or Superior Court to file a revised tax disclosure statement within 60 calendar days of filing the amended return or the final determination. It requires the Secretary of State to make the tax disclosure statement available to the public on an ongoing basis in the form of a searchable database accessible through the Internet. It requires the chief operating officer of a corporation to attest in writing to the accuracy of the tax disclosure statement. It requires the Bureau of Revenue Services to act as the agent of the Secretary of State to audit a corporation's tax disclosure. It requires the Secretary of State to publish the name of and penalty imposed upon a corporation subject to a penalty for failing to file or filing an inaccurate tax disclosure statement. It permits the disclosure by employees of the Bureau of Revenue Services to designated representatives of the Secretary of State of information required by the Secretary of State for the administration of the tax disclosure statement.

LD 1141 An Act To Increase the Sales Tax To Support Revenue Sharing

ONTP

| <u>Sponsor(s)</u> | <u>Committee Report</u> | <u>Amendments Adopted</u> |
|------------------------|-------------------------|---------------------------|
| THERIAULT JACKSON T | ONTP | |

This bill imposes an additional 1% sales tax if the amount of revenue transferred for revenue sharing is less than 5% for the prior fiscal year. If in the subsequent year the amount of revenue transferred for revenue sharing is at least 5%, the sales tax rates revert to the statutory rates for the next fiscal year.

LD 1164 An Act To Allow Cooperative Housing Owners Who Are Blind To Qualify for the Property Tax Exemption

PUBLIC 416

| <u>Sponsor(s)</u> | <u>Committee Report</u> | <u>Amendments Adopted</u> |
|--------------------|-------------------------|---------------------------|
| GOODALL MASON A | OTP-AM | S-80 |

Current law exempts from property tax the first \$4,000 of residential real estate owned and occupied by a person who is legally blind. This bill allows a person who is legally blind and who lives in cooperative housing to qualify for that same property tax exemption.

Committee Amendment "A" (S-80)

The amendment adds an appropriations and allocations section.

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Enacted Law Summary

Public Law 2013, chapter 416 allows a person who lives in cooperative housing to qualify for the existing exemption from property tax on the first \$4,000 of residential real estate owned and occupied by a person who is legally blind.

LD 1205 An Act To Lower the Rate of Excise Tax on Older Vehicles To ONTP
Acknowledge the Longer Life Span of Motor Vehicles

| <u>Sponsor(s)</u> | <u>Committee Report</u> | <u>Amendments Adopted</u> |
|-------------------|-------------------------|---------------------------|
| CRAY COLLINS | ONTP | |

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

This bill proposes to amend the annual excise tax that is imposed on the registration of motor vehicles. Currently, the mill rate begins at 24 mills of the maker's list price for the first model year of the motor vehicle and decreases, on a sliding scale, to 4 mills for the 6th and succeeding year of the motor vehicle. This bill would alter that scale to take into consideration, in a revenue-neutral manner, the high percentage of motor vehicles registered each year in this State that are more than 6 years old.

LD 1206 An Act To Ensure Equity in the Taxation of Food Items ONTP

| <u>Sponsor(s)</u> | <u>Committee Report</u> | <u>Amendments Adopted</u> |
|-------------------|-------------------------|---------------------------|
| MACDONALD W | ONTP | |

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

This bill proposes to change the way the sales and use tax is applied to grocery staples, which are tax-exempt under the law except when sold in small quantities for individual use.

LD 1207 An Act To Expand the Property Tax Exemption for Veterans Who Are ONTP
100% Disabled

| <u>Sponsor(s)</u> | <u>Committee Report</u> | <u>Amendments Adopted</u> |
|--------------------|-------------------------|---------------------------|
| CROCKETT TUTTLE | ONTP | |

Current law provides a tax exemption of up to \$6,000 of the value of property held by a veteran who is receiving any form of pension or compensation from the United States Government for total, service-connected disability. This bill provides a complete exemption from property taxes for the estate of a veteran who is receiving any form of pension or compensation from the United States Government for total, service-connected disability. The same provisions that apply to the current property tax exemptions for veterans apply to the exemption established in this bill, including requiring the veteran to be a resident of this State, allowing the exemption for property held in a revocable living trust or that is cooperative housing and requiring the State to reimburse a municipality for 90% of the portion of the lost property tax revenue that exceeds 3% of the total municipal property tax levy.

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LD 1218 An Act To Amend the Law Regarding Affordable Housing Tax Increment Financing

PUBLIC 312

| <u>Sponsor(s)</u> | <u>Committee Report</u> | <u>Amendments Adopted</u> |
|-------------------|-------------------------|---------------------------|
| MOONEN | OTP-AM ONTP | H-307 |

This bill includes the costs of case management and support services in the authorized project costs allowable for financing under an affordable housing tax increment financing program.

Committee Amendment "A" (H-307)

This amendment replaces the bill with the following changes.

1. It provides that the municipal vote becomes the effective original assessed value date and allows flexibility in the review and approval of an affordable housing development district by the Maine State Housing Authority.
2. It eliminates the adjusted \$50,000,000 cap on bonded indebtedness for the affordable housing development districts within a county and the requirement that acquisition, construction and property improvements included within the affordable housing development program financed by municipal bonded indebtedness must be completed within 5 years of the approval of a district.
3. It clarifies the duration of an affordable housing development program.
4. It includes operational costs, in addition to the costs of case management and support services provided for in the bill, in the authorized project costs allowable for financing under an affordable housing tax increment financing program.
5. It expands from 20 years to 30 years the allowable maturation period for bonds issued by the legislative body of a municipality or plantation to finance the cost of an affordable housing development program within an affordable housing development district.

Enacted Law Summary

Public Law 2013, chapter 312 makes the following changes to affordable housing tax increment financing program.

1. It provides that the municipal vote becomes the effective original assessed value date and allows flexibility in the review and approval of an affordable housing development district by the Maine State Housing Authority.
2. It eliminates the adjusted \$50,000,000 cap on bonded indebtedness for the affordable housing development districts within a county and the requirement that acquisition, construction and property improvements included within the affordable housing development program financed by municipal bonded indebtedness must be completed within 5 years of the approval of a district.
3. It clarifies the duration of an affordable housing development program.
4. It includes operational costs, in addition to the costs of case management and support services in the authorized project costs allowable for financing under an affordable housing tax increment financing program.
5. It expands from 20 years to 30 years the allowable maturation period for bonds issued by the legislative body

Joint Standing Committee on Taxation

of a municipality or plantation to finance the cost of an affordable housing development program within an affordable housing development district.

LD 1226 An Act To Improve Maine Veterans' Property Tax Exemptions

ONTP

| <u>Sponsor(s)</u> | <u>Committee Report</u> | <u>Amendments Adopted</u> |
|-------------------|-------------------------|---------------------------|
| CLEVELAND HILL | ONTP | |

Current law provides a property tax exemption to a veteran of the Armed Forces of the United States but only if the veteran served during a federally recognized war period or was disabled during active military service. The amount of the exemption varies depending on when the veteran served and whether the veteran is a paraplegic. This bill removes the requirement that the veteran must have served during a federally recognized war period, making the exemption available to all veterans of the Armed Forces of the United States. This bill does not change the amounts of the exemption or the other qualifying conditions.

LD 1227 An Act To Promote Tourism and Economic Development

ONTP

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

This bill increases the sales tax on lodging from 7% to 12% beginning October 1, 2013. Sixty percent of the revenue attributable to the tax increase is distributed to the Tourism Marketing Promotion Fund, and 40% is distributed to the municipality in which the living quarters that generated the revenue are located.

LD 1228 An Act To Establish Municipal Cost Components for Unorganized Territory Services To Be Rendered in Fiscal Year 2013-14

PUBLIC 174
EMERGENCY

| <u>Sponsor(s)</u> | <u>Committee Report</u> | <u>Amendments Adopted</u> |
|-------------------|-------------------------|---------------------------|
| | OTP-AM | H-167 |

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

Committee Amendment "A" (H-167)

This amendment incorporates a fiscal note.

Enacted Law Summary

Public Law 2013, chapter 174 establishes municipal cost components for state and county services provided to the unorganized territory that would be paid for by a municipality. The municipal cost components constitute the property tax for the unorganized territory. Public Law 2013, chapter 174 was enacted as an emergency measure effective May 30, 2013.

Joint Standing Committee on Taxation

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

This bill proposes to allow a municipality to impose an additional tax, up to 2%, on the value of rental of living quarters in any hotel, rooming house or tourist or trailer camp in that municipality and on prepared food sold in that municipality.

LD 1326 An Act To Prevent Youth Tobacco Use

ONTP

| <u>Sponsor(s)</u> | <u>Committee Report</u> | <u>Amendments Adopted</u> |
|--------------------|-------------------------|---------------------------|
| ROCHELO GOODALL | ONTP | |

This bill requires that all tobacco products be taxed at rates equivalent to the current tax on cigarettes. The bill provides an appropriations and allocations section to fund anticipated increased demand on the tobacco hotline for those people who are seeking to quit tobacco use.

LD 1370 An Act To Exempt from Sales Tax the Sales of Adaptive Equipment To Make a Vehicle Handicapped Accessible

HELD BY GOVERNOR

| <u>Sponsor(s)</u> | <u>Committee Report</u> | <u>Amendments Adopted</u> |
|----------------------|-------------------------|---------------------------|
| SAUCIER JACKSON T | OTP-AM | H-192 S-361 HILL |

Under current law, adaptive equipment installed on a motor vehicle owned by a person with a disability to make the vehicle operable or accessible by a person with a disability is exempt from the excise tax. This bill exempts from sales tax the sales of adaptive equipment to a person with a disability or a family member of a person with a disability for installation in or on a motor vehicle to make the vehicle accessible by a person with a disability.

Committee Amendment "A" (H-192)

The bill exempts from sales tax sales of adaptive equipment to a person with a disability or a family member of a person with a disability for installation in or on a motor vehicle to make the vehicle operable or accessible by a person with a disability. This amendment instead provides that the exemption applies to sales of such equipment to a person with a disability or a person at the request of a person with a disability for installation in or on a motor vehicle to make the vehicle operable or accessible by a person with a disability who is issued a disability plate or placard by the Secretary of State. The amendment also provides an effective date of October 1, 2013.

Senate Amendment "A" To Committee Amendment "A" (S-361)

This amendment changes the effective date from October 1, 2013 to July 1, 2014.

LD 1379 An Act Regarding the Valuation of Certain Vehicles

PUBLIC 263

| <u>Sponsor(s)</u> | <u>Committee Report</u> | <u>Amendments Adopted</u> |
|-------------------|-------------------------|---------------------------|
| JACKSON T | OTP-AM | S-215 |

This bill directs the State Tax Assessor to value a vehicle that is restored or reconstructed using a prepackaged kit that may include a frame, front axle or body but does not include a power train or engine at the price of the

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prepackaged kit.

Committee Amendment "A" (S-215)

This amendment replaces the bill and clarifies that for trucks or truck tractors registered for more than 26,000 pounds that have been reconstructed using a prepackaged kit that may include a frame, front axle or body but does not include a power train or engine and for which a new certificate of title is required to be issued, the amount of excise tax due is based on the maker's list price of the prepackaged kit.

Enacted Law Summary

Public Law 2013, chapter 263 provides that, for excise tax purposes, a truck that is 26,000 pounds or more that is reconstructed using a prepackaged kit that may include a frame, front axle or body but does not include a power train or engine and for which a new certificate of title is required, is valued at the price of the prepackaged kit.

LD 1402 An Act To Amend the Taxes Imposed on Alcohol and Lodging CARRIED OVER

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

Part A repeals the excise taxes and premiums imposed on spirits, wine and malt liquor and the requirements regarding those excise taxes and premiums.

Part B increases the sales and use tax imposed on lodging from 7% to 9% and on liquor sold for consumption on or off the premises of licensed establishments from 7% to 9%. Part B also amends the exemption of casual rentals of living quarters to decrease the exempt period from fewer than 15 days to fewer than 8 days.

This bill was carried over to any special or regular session of the 126th Legislature by joint order, H.P. 1145, as amended by H-B (H-580) and H-C (H-582).

**LD 1406 An Act To Reduce Youth Smoking and Improve Public Health by ONTP
Increasing Revenue from the Cigarette Tax to the Fund for a Healthy
Maine and To Pay Debts Owed to Health Care Providers**

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

This bill increases the cigarette tax by \$1.50 per package, from \$2.00 to \$3.50, to help deter the initial use of cigarettes by youth. It includes an appropriations and allocations section to fund certain programs through the Fund for a Healthy Maine and provides that any remaining funds must be used to retire debts owed to health care providers for services provided prior to December 1, 2012.

**LD 1409 An Act To Promote Tourism and Foster Economic Development DIED BETWEEN
HOUSES**

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

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This bill provides a refundable income tax credit for a major visual media production company equal to a percentage of expenses. The major visual media production company is eligible in an amount up to 25% if the overall budget is greater than \$1,000,000 but less than or equal to \$100,000,000 and up to 35% if the overall budget is greater than \$100,000,000.

Committee Amendment "A" (H-401)

This amendment changes the bill by removing the emergency provisions and clarifying that the credit is fully refundable. It clarifies that a visual media production may include content produced for the Internet and that the certified major visual media production credit must be claimed in the taxable year in which the major visual media production is completed. It removes the 35% credit for major visual media productions of over \$100,000,000, the requirement for 50% of the positions to be filled by in-state residents and the requirement for the productions to include trailers and commercials. It provides that the application fee, which is 0.2% of tax credit, is nonrefundable and can be no less than \$200 and no more than \$5,000. It specifies that a major visual media production expense does not include any single item with a value of \$500,000 or more that is not owned and retained for use in future productions by a major visual media production company. It repeals the credit on December 31, 2017.

LD 1414 **Resolve, Authorizing the State Tax Assessor To Convey the Interest of the State in Certain Real Estate in the Unorganized Territory**

RESOLVE 32

| <u>Sponsor(s)</u> | <u>Committee Report</u> | <u>Amendments Adopted</u> |
|-------------------|-------------------------|---------------------------|
| HASKELL KNIGHT | OTP-AM | S-72 |

This resolve authorizes the State Tax Assessor to convey the interest of the State in several parcels of real estate in the Unorganized Territory.

Committee Amendment "A" (S-72)

This amendment incorporates a fiscal note.

Enacted Law Summary

Resolve 2013, chapter 32 authorizes the State Tax Assessor to convey the interest of the State in several parcels of real estate in the Unorganized Territory.

LD 1421 **An Act To Permit a Student Holding a Degree from a Non-Maine Institution To Participate in the Job Creation Through Educational Opportunity Program**

CARRIED OVER

| <u>Sponsor(s)</u> | <u>Committee Report</u> | <u>Amendments Adopted</u> |
|-----------------------|-------------------------|---------------------------|
| NADEAU C THIBODEAU | | |

This bill provides that an individual whose associate degree or bachelor's degree was obtained from an accredited non-Maine institution may participate in the Job Creation Through Educational Opportunity Program if the degree obtained was not available from an accredited Maine institution.

This bill was carried over to any special or regular session of the 126th Legislature by joint order, H.P. 1145, as amended by H-B (H-580) and H-C (H-582).

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LD 1446 An Act To Review Tax Expenditures on a Revolving Basis

**LEAVE TO
WITHDRAW**

| <u>Sponsor(s)</u> | <u>Committee Report</u> | <u>Amendments Adopted</u> |
|-------------------|-------------------------|---------------------------|
| HASKELL KNIGHT | | |

This bill requires the joint standing committee of the Legislature having jurisdiction over taxation matters to review tax expenditures on an 8-year cycle. The bill also requires analysis by the committee of the process for review of tax expenditures and a determination of the most effective way to identify the purpose of each tax expenditure, methods of evaluating the tax expenditures and the best method of ensuring effective review of tax expenditures including the advisability of subjecting each tax expenditure to a periodic automatic repeal with legislation needed to keep the tax expenditure in operation. The committee is directed to submit legislation to implement the results of its review to the Second Regular Session of the 126th Legislature.

LD 1463 An Act To Examine Best Practices Relating to Tax Expenditures

CARRIED OVER

| <u>Sponsor(s)</u> | <u>Committee Report</u> | <u>Amendments Adopted</u> |
|-------------------|-------------------------|---------------------------|
| ROTUNDO KNIGHT | | |

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

This bill proposes to direct the Joint Standing Committee on Taxation to examine best practices relating to tax expenditures. The committee will examine various approaches to tax expenditures, including but not limited to placing a cap on tax expenditures and developing expenditure budgets, in order to determine the best way to achieve the goals of tax expenditures in the most effective and efficient manner possible and to ensure transparency and accountability.

This bill was carried over to any special or regular session of the 126th Legislature by joint order, H.P. 1145, as amended by H-B (H-580) and H-C (H-582).

LD 1477 An Act To Impose a Temporary One Percent Sales Tax for Education and Revenue Sharing

ONTP

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

This bill imposes an additional 1% sales and use tax on items of personal property and taxable services currently subject to the 5% sales and use tax. The additional tax is collected and remitted and is subject to the same requirements as the 5% sales and use tax. Of the revenue generated by the 1% sales and use tax, 70% is transferred to general purpose aid for local schools and 30% is transferred to the Local Government Fund to be used for revenue sharing. If the amount of revenue generated in a fiscal year exceeds \$280,000,000, the excess amount is transferred for revenue sharing.

The additional 1% sales and use tax may be decreased to 0.5% and then eliminated if General Fund revenues for any fiscal year, as determined by the State Controller at the close of the fiscal year, exceed those of the previous

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fiscal year by 8% or more for that fiscal year.

This bill requires the joint standing committee of the Legislature having jurisdiction over taxation matters, each time the additional sales and use tax is decreased, to examine the sales tax exemptions and determine whether those sales tax exemptions serve a purpose beneficial to the State that outweighs the cost of those sales tax exemptions.

LD 1478 An Act To Avoid Potential Loss of Revenue by Municipalities and the ONTP
Unorganized Territory from Donated Property

| <u>Sponsor(s)</u> | <u>Committee Report</u> | <u>Amendments Adopted</u> |
|---------------------|-------------------------|---------------------------|
| JOHNSON D TUTTLE | ONTP | |

This bill provides that the property tax exemption for publicly owned property does not apply to property donated to a public entity on or after October 1, 2013 unless the donation is approved by the legislative body of the municipality where the property is located or, in the case of property located in the unorganized territory, by the county commissioners of the county where the property is located or the donor establishes an account to make payments in lieu of taxes.

LD 1488 An Act To Create a Tax Expenditures Budget Process ONTP

| <u>Sponsor(s)</u> | <u>Committee Report</u> | <u>Amendments Adopted</u> |
|-------------------|-------------------------|---------------------------|
| CAIN ROTUNDO | ONTP | |

This bill requires the joint standing committee of the Legislature having jurisdiction over taxation matters to review all tax expenditures in odd-numbered years and submit a report to the joint standing committee of the Legislature having jurisdiction over appropriations and financial affairs recommending retention, amendment or repeal of tax expenditures described in the biennial report to the committee by the Department of Administrative and Financial Services, Bureau of Revenue Services. The bill also requires gross unified budget bills to include a part indicating the Legislature's support for tax expenditures and requires the joint standing committee of the Legislature having jurisdiction over appropriations and financial affairs to consider the report from the joint standing committee of the Legislature having jurisdiction over taxation matters when reviewing that part of the budget bill.

LD 1496 An Act To Modernize and Simplify the Tax Code ONTP

| <u>Sponsor(s)</u> | <u>Committee Report</u> | <u>Amendments Adopted</u> |
|--------------------|-------------------------|---------------------------|
| KNIGHT WOODBURY | ONTP | |

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

This bill would overhaul Maine's tax code. It is designed to raise a larger share of tax revenues from nonresidents, while relieving the tax burden on year-round residents. The bill reduces Maine state income taxes, corporate income taxes and homestead property taxes; moderates the regressivity of sales and property taxes on lower-income households; stabilizes tax revenues; and creates a more attractive tax environment for individuals and businesses that locate in Maine. Because nonresidents share many of the benefits of Maine's communities, roads, hospitals, environment and quality of life while they are here, while avoiding many of the taxes paid by residents only, the reforms also reflect a fairer apportionment of government costs.

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The bill accomplishes its objectives by increasing revenues from sales and excise taxes, which are paid by both residents and nonresidents in proportion to the time they spend here, and by collecting less from income taxes and homestead property taxes, which are paid almost entirely by residents.

The bill creates 2 refundable tax credits. A sales tax fairness credit is designed to offset the regressive burden of sales taxes on lower-income families. A property tax fairness credit, combined with the increased homestead exemption, is designed to offset the regressive burden of property taxes.

This bill more carefully targets property tax relief to owners of homestead property and to municipalities with higher property tax mill rates and higher overall tax burdens. The plan also provides proportionately more relief to households with lower incomes and lower property wealth, moderating the regressive impact of the property tax.

1. Homestead property tax exemption. The bill increases the homestead property tax exemption to \$50,000 except that the exemption may not exceed 50% of the value of the homestead. Municipalities would be reimbursed by the State for half of the cost of the homestead exemption. Payment from the State to municipalities for homestead tax relief would be over \$120,000,000 annually. A large majority of resident homeowners will see property tax reductions of over \$500; many will see property tax reductions of \$1,000 or more.
2. State-municipal revenue sharing. The bill replaces the current state-municipal revenue sharing formula by providing for the transfer of 1.5% of sales and income tax revenue to be distributed only to municipalities with higher mill rates, using the new so-called Revenue Sharing II formula enacted in the 125th Legislature. Payment from the State to municipalities for municipal revenue sharing would be over \$40,000,000 annually.
3. Property tax fairness credit. The bill replaces the Circuitbreaker Program with a new property tax fairness credit that is administered as an integral component of Maine income tax returns. The new program is greatly simplified as compared to the Circuitbreaker Program. The property tax fairness credit refunds to taxpayers half of the amount by which property taxes exceed 6% of income, up to a maximum refund of \$1,000 per household. Only the first \$250,000 of property value qualifies for the property tax fairness credit. Renters also qualify for credit, using 15% of their rent as the portion of rent that is eligible for the credit. Tax abatements provided by municipalities for hardship must be subtracted when calculating the property tax fairness credit.
4. Property tax exemption for certain property. The bill amends the property tax exemption for certain private nonprofit institutions and organizations. The full 100% exemption would be retained for the first \$250,000 of just value. The exemption would be reduced from 100% of the full just value of the property to 75% for the portion of just value exceeding \$250,000. The full 100% exemption would be retained for places of worship, and the tax treatment of parsonages would be unchanged from current law.
5. Telecommunications excise tax. The bill returns the taxation of telecommunications personal property to municipalities rather than being collected by the State. Revenues from the telecommunications excise tax remain with municipalities to assist with local budgets.
6. Business equipment tax reimbursement. The bill provides for full funding of property tax reimbursements to businesses under the BETR program up to the 12-year period of service originally covered under the program. Continuing reimbursements after the first 12 years of service are eliminated.
7. Government efficiency grants. The bill provides \$1,000,000 in funding annually from the General Fund to the Fund for the Efficient Delivery of Local and Regional Services to be used for grants to municipalities to increase collaboration in service delivery and to identify other cost efficiencies in governance.

This bill reduces income taxes for most Maine taxpayers. The simplified lower-rate system provides incentives for persons to locate their homes and businesses in Maine thereby increasing jobs and laying the foundation for a more

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prosperous economic future.

1. Individual income tax reform. The bill imposes a maximum 4% total income tax rate, eliminates nearly all deductions from income and computes a household's income tax assessment based on federal adjusted gross income. Progressivity in tax rates is achieved using 2 new refundable tax credits administered in conjunction with the income tax filing, a sales tax fairness credit and a property tax fairness credit. These credits create a more integrated tax system that promotes progressivity in the combined burden of all state and local taxes, including income, sales and property taxes.

The base sales tax fairness credit is set at \$1,000 for single filers or \$2,000 for joint filers, plus \$500 per dependent and \$500 per member of the household over 65 years of age. The credit amount is phased out as income rises. This credit is refundable up to \$500 for single filers or \$1,000 for joint filers, plus \$100 per dependent and \$100 per member of the household over 65 years of age, up to a maximum household refund of \$1,500. The property tax fairness credit, already described, is fully refundable up to \$1,000.

The sales tax fairness credit is automatically integrated into the tax or refund computation and is dependent on income and filing status only. The property tax fairness credit is also computed as part of the taxpayer's annual tax return, but varies based on the property taxes actually paid. The net distributional impact of the income tax, after accounting for the sales tax fairness credit, is as follows. Those households that are also eligible for the property tax fairness credit would have a smaller tax or a larger refund.

A. Single filers. As structured, and without accounting for the property tax fairness credit, single filers with income below \$8,800 would pay no income taxes and would receive the full refundable sales tax fairness credit of \$500. Single filers with income between \$8,800 and \$17,600 would owe no taxes and would receive a refundable credit of less than \$500, with the amount phasing out over this income range. Single filers with income between \$17,600 and \$60,000 would also be eligible for the sales tax fairness credit as an offset to their income taxes but would owe a net tax. Their total effective tax rate would increase progressively with income. Single filers with income above \$60,000 would pay the full 4% income tax rate on all of their adjusted gross income.

B. Joint filers with no dependents. Joint filers with no dependents and income below \$17,600 would pay no income taxes and would receive the full refundable sales tax fairness credit of \$1,000. Joint filers with income between \$17,600 and \$35,300 would owe no taxes and would receive a refundable credit of less than \$1,000, with the amount phasing out over this income range. Joint filers with income between \$35,300 and \$120,000 would also be eligible for the sales tax fairness credit as an offset to their income taxes but would owe a net tax. Their total effective tax rate would increase progressively with income. Joint filers with income above \$120,000 would pay the full 4% income tax rate on all of their adjusted gross income.

C. Four-person families. Four-person families with income below \$27,700 would pay no income taxes and would receive the full refundable sales tax fairness credit of \$1,200. Four-person families with income between \$27,700 and \$46,100 would owe no taxes and would receive a refundable credit of less than \$1,200, with the amount phasing out over this income range. Four-person families with income between \$46,100 and \$120,000 would also be eligible for the sales tax fairness credit as an offset to their income taxes but would owe a net tax. Their total effective tax rate would increase progressively with income. Four-person families with income above \$120,000 would pay the full 4% income tax rate on all of their adjusted gross income.

The bill repeals nearly all income tax deductions, including deductions for home mortgage interest, real estate taxes paid, medical and dental expenses, charitable contributions, theft and casualty losses, other itemized deductions, affordable housing, social security benefits taxable at the federal level, contributions to capital construction funds, premiums paid for long-term care insurance, pension income and contributions to qualified tuition plans under Section 529 of the United States Internal Revenue Code of 1986, so-called 529 plans.

The bill repeals most income tax credits prospectively, allowing the continued carry-forward of tax credits for

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projects and initiatives already awarded or accrued but eliminating new or future credit awards. Prospectively eliminated credits include the jobs and investment tax credit, the credit for contributions to family development account reserve funds, the credit for employer-assisted day care, the credit for employer-provided long-term care benefits, the credit for educational opportunity, the retirement and disability credit, the forest management planning income credits, the high-technology investment tax credit, the credit for dependent health benefits paid, the quality child care investment credit, the earned income credit, the Pine Tree Development Zone tax credit, the biofuel commercial production and commercial use credit, the tax benefits for media production companies, the dental care access credit, the new markets capital investment credit, the credit for wellness programs, the credit for Maine fishery infrastructure investment and the Maine Public Employees Retirement System innovation finance credit.

2. Corporate income taxes. The bill reduces corporate income tax rates to 3.5% on income up to \$50,000 and to 7.5% on income above \$50,000.

3. Estate tax. The bill repeals the estate tax.

The bill raises about \$700,000,000 in additional sales and excise tax revenues annually, paid by both residents and nonresidents in rough proportion to the time they spend in Maine. These revenues are redirected to provide tax relief that goes almost entirely to residents. The net result of this restructuring is an increased revenue contribution from nonresidents and a reduced revenue contribution from residents. The additional burden of sales taxes on lower-income and middle-income taxpayers is offset by the sales tax fairness credit that is administered in conjunction with the income tax.

1. Expanded sales tax base. The sales tax would be applied to nearly all consumer purchases with the exception of health care and education, raising about \$400,000,000 in additional sales tax revenues annually. While the specific definitions for the expanded sales tax base will need to be constructed with advisory expertise from Maine Revenue Services, many consumer purchases in the following sales categories would become taxable: amusement, entertainment and recreational services; groceries; coal, oil, gas and wood for cooking and heating; residential electricity; publications; coin-operated vending machines; residential water; personal care services; personal property services; real property services; elective cosmetic services; funeral services; barber shop, beauty parlor and health club services; cleaning, storage and repair of clothing and shoes; business and legal services purchased by consumers; other professional services purchased by consumers; informational services purchased by consumers; certain transportation and storage services; installation, repair, maintenance and other labor service fees; basic cable and satellite television services; telecommunications services; and meals served in cafeterias and dining halls. The sales tax treatment of leasing and rentals would be revised to be more consistent with the treatment of such transactions in most other states.

2. Sales and excise tax rate increases. The bill increases certain sales and excise tax rates, raising about \$300,000,000 in additional revenues annually. The general sales tax rate increases from 5% to 6%. The service provider tax rate increases from 5% to 6%. The cigarette tax increases from \$2 to \$3.50. The taxes on other tobacco products are raised to a level that is equalized with cigarettes. The tax rate on prepared foods increases from 7% to 8%, and the definition of "prepared foods" is expanded. The total excise tax rate on malt liquor and hard cider products increases from 35¢ to 70¢ per gallon. The total excise tax rate on wine increases from 60¢ to \$1.20 per gallon. The tax rate on automobile rentals increases from 10% to 15%.

The tax rate on lodging increases from 7% to 8%, plus an additional 2% to be allocated to the Tourism Marketing Promotion Fund. This 2% set aside would replace the allocation to the Tourism Marketing Promotion Fund from the tax on lodging and prepared meals and increase the resources available for tourism promotion from \$10,000,000 to \$16,000,000.

The real estate transfer tax on residential property increases from 0.44% to a progressive rate structure. Residential real estate with a value of less than \$250,000 would be taxed at 0.6%. Residential real estate

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with a value between \$250,000 and \$500,000 would be taxed at 0.8%. Residential real estate with a value between \$500,000 and \$1,000,000 would be taxed at a rate of 1%. Residential real estate with a value above \$1,000,000 would be taxed at a rate of 1.5%. All other property would be taxed at 1%.

3. Sales tax collector fee. A sales tax collector fee is created to compensate businesses that collect sales taxes on behalf of the State. This fee is set at 0.5% of sales taxes collected and would be retained by vendors for their effort in collecting sales taxes. Every business that collects sales taxes will be compensated.

LD 1534 An Act To Allow a Motor Vehicle Excise Tax Credit for a Vehicle No Longer in Use **INDEF PP**

| <u>Sponsor(s)</u> | <u>Committee Report</u> | <u>Amendments Adopted</u> |
|---------------------|-------------------------|---------------------------|
| THIBODEAU BROOKS | OTP-AM | S-180 |

This bill provides that the motor vehicle excise tax credit for a vehicle lost by fire, theft or accident or totally junked or abandoned also applies to a vehicle the use of which is totally discontinued.

Committee Amendment "A" (S-180)

This amendment clarifies that the motor vehicle excise tax credit is available only if the vehicle's ownership is transferred, the vehicle is totally lost by fire, theft or accident, the vehicle is totally junked or abandoned, the use of the vehicle is totally discontinued or, in the case of a leased vehicle, the registration is transferred. It defines "totally discontinued" as meaning that the owner has permanently discontinued all use of the vehicle except for selling, transferring ownership of, junking or abandoning that vehicle. It 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

This amendment was not adopted.

LD 1535 An Act To Provide Maine's Businesses Tax Relief for Destroyed or Stolen Products **CARRIED OVER**

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

This bill provides tax relief to Maine retail establishments by requiring the State Tax Assessor to reimburse a retailer for destroyed or stolen cigarette tax stamps.

This bill was carried over to any special or regular session of the 126th Legislature by joint order, H.P. 1145, as amended by H-B (H-580) and H-C (H-582).

LD 1570 An Act To Delay the Implementation of Changes to the Business Equipment Tax Exemption **PUBLIC 385
EMERGENCY**

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

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This bill was acted upon without reference to committee.

As enacted in Public Law 2013, chapter 368, a taxpayer seeking a business equipment tax exemption and owning property exceeding 2% of the total valuation of the municipality is required to provide annually to the municipality income and expense information that is sufficient for the State Tax Assessor to determine the value of all property owned by the taxpayer located in the municipality as well as the property for which exemption is sought. The taxpayer's property is ineligible for the business equipment tax exemption if the taxpayer fails to provide sufficient information.

This bill delays by one year the effective date of the reporting requirements to apply to property tax years beginning on or after April 1, 2014. This bill applies the change in the application date retroactively to June 26, 2013, the effective date of Public Law 2013, chapter 368.

Enacted Law Summary

Public Law 2013, chapter 385 delays by one year the effective date of the reporting requirements to apply to property tax years beginning on or after April 1, 2014.

Public Law 2013, chapter 385 was enacted as an emergency measure effective July 1, 2013 and applies retroactively to June 26, 2013, the effective date of Public Law 2013, chapter 368.

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SUBJECT INDEX

Administration of Tax Laws

Enacted

| | | |
|---------------|---|--------------------------------|
| LD 430 | An Act To Amend the Laws Regarding Who May Appeal a Reconsideration Decision to the Maine Board of Tax Appeals | PUBLIC 45 EMERGENCY |
| LD 988 | An Act To Amend the Tax Laws | PUBLIC 331 |

Cigarette and Tobacco Taxes

Not Enacted

| | | |
|----------------|---|---------------------|
| LD 1326 | An Act To Prevent Youth Tobacco Use | ONTP |
| LD 1406 | An Act To Reduce Youth Smoking and Improve Public Health by Increasing Revenue from the Cigarette Tax to the Fund for a Healthy Maine and To Pay Debts Owed to Health Care Providers | ONTP |
| LD 1535 | An Act To Provide Maine's Businesses Tax Relief for Destroyed or Stolen Products | CARRIED OVER |

Estate Tax

Not Enacted

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|---------------|--|-------------|
| LD 358 | An Act To Protect Family Farms and Working Waterfront Subject to Estate Tax and Reduce the Maine Estate Tax Exclusion | ONTP |
|---------------|--|-------------|

Excise Tax

Enacted

| | | |
|----------------|---|-------------------|
| LD 1379 | An Act Regarding the Valuation of Certain Vehicles | PUBLIC 263 |
|----------------|---|-------------------|

Not Enacted

| | | |
|----------------|---|-----------------------------------|
| LD 167 | An Act To Base the Motor Vehicle Excise Tax on the Purchase Price of the Motor Vehicle | MAJORITY (ONTP) REPORT |
| LD 1205 | An Act To Lower the Rate of Excise Tax on Older Vehicles To Acknowledge the Longer Life Span of Motor Vehicles | ONTP |
| LD 1534 | An Act To Allow a Motor Vehicle Excise Tax Credit for a Vehicle No Longer in Use | INDEF PP |

Fuel Tax

Enacted

| | | |
|---------------|--|------------------|
| LD 240 | An Act To Allow Motor Fuel Taxable Sales Disclosure | PUBLIC 25 |
|---------------|--|------------------|

Not Enacted

| | | |
|---------------|--|---------------------|
| LD 50 | An Act To Exempt Fuel Used in Small Commercial Aircraft from Fuel Sales Tax | ONTP |
| LD 614 | An Act To Adjust Fuel Taxes To Improve Sustainability | ONTP |
| LD 631 | An Act To Change the Taxes on Fuel Purchased for Use Other Than on the Highways | CARRIED OVER |

Fuel Tax

Not Enacted

LD 996 An Act To Improve the Accuracy of Fuel Tax Reporting CARRIED OVER

Income Tax - General

Not Enacted

LD 150 An Act To Modernize State Income Tax Refunds ONTP

LD 692 An Act To Provide Funding for Education by Restoring the 8.5 Percent Income Tax Rate for High-income Taxpayers ONTP

LD 834 An Act To Make the Income Tax More Equitable for Citizens of the State ONTP

LD 1256 An Act To Establish Tax Fairness ONTP

Income Tax Conformity

Not Enacted

LD 989 An Act To Conform the Maine Tax Laws for 2012 to the United States Internal Revenue Code ONTP

Income Tax Credits, Exemptions, Deductions and Incentives

Enacted

LD 1109 An Act To Clarify the Maine New Markets Capital Investment Program Tax Credit PUBLIC 75 EMERGENCY

LD 1218 An Act To Amend the Law Regarding Affordable Housing Tax Increment Financing PUBLIC 312

Not Enacted

LD 55 An Act To Promote Filmmaking in the State ONTP

LD 65 An Act To Reduce the Income Tax on Capital Gains MAJORITY (ONTP) REPORT

LD 234 An Act To Provide Tax Treatment Consistency for Limited Liability Companies and S Corporations CARRIED OVER

LD 341 An Act To Provide a Tax Credit to Employers That Hire Certain Veterans ONTP

LD 361 An Act To Promote Plug-in Electric Vehicle Sales ONTP

LD 436 An Act To Raise the Maximum 529 Plan Contribution Tax Deduction CARRIED OVER

LD 440 An Act To Create a Tax Credit for Primary Care Professionals Practicing in Underserved Areas CARRIED OVER

LD 455 An Act To Increase the State Earned Income Credit CARRIED OVER

LD 561 An Act To Support Maine Farms and Alleviate Hunger ONTP

LD 624 An Act To Encourage Local Business Involvement in Local Schools ONTP

LD 693 An Act To Provide Solar Energy Tax Credits to Maine Homeowners ONTP

Income Tax Credits, Exemptions, Deductions and Incentives

Not Enacted

| | | |
|---------|---|------------------------|
| LD 743 | An Act To Extend and Improve the Maine Seed Capital Tax Credit Program | HELD BY GOVERNOR |
| LD 866 | An Act To Create an Income Tax Credit for Educational Supplies Purchased by Public School Employees | ONTP |
| LD 980 | An Act To Provide an Income Tax Credit for a Qualified Conservation Contribution | ONTP |
| LD 1099 | An Act To Provide an Internship Employment Tax Credit | MAJORITY (ONTP) REPORT |
| LD 1409 | An Act To Promote Tourism and Foster Economic Development | DIED BETWEEN HOUSES |
| LD 1421 | An Act To Permit a Student Holding a Degree from a Non-Maine Institution To Participate in the Job Creation Through Educational Opportunity Program | CARRIED OVER |

Meals and Lodging Tax

Not Enacted

| | | |
|---------|--|--------------|
| LD 1227 | An Act To Promote Tourism and Economic Development | ONTP |
| LD 1314 | An Act To Allow a Local Option Tax on Meals and Lodging | ONTP |
| LD 1402 | An Act To Amend the Taxes Imposed on Alcohol and Lodging | CARRIED OVER |

Miscellaneous Taxes

Enacted

| | | |
|--------|---|---------------------|
| LD 9 | An Act To Allow the Maine Potato Board To Have Access to Information Regarding the Potato Tax | PUBLIC 10 EMERGENCY |
| LD 278 | An Act To Provide Greater Access to Capital for Certain Businesses through Assignment of Benefits under the Business Equipment Tax Reimbursement Program and the Maine Employment Tax Increment Financing Program | PUBLIC 67 |

Not Enacted

| | | |
|--------|---|------------------------|
| LD 815 | An Act To Tax Political Action Committees | INDEF PP |
| LD 901 | An Act To Modify the Mining Excise Tax | MAJORITY (ONTP) REPORT |

Personal Property and Business Equipment Taxes

Not Enacted

| | | |
|--------|--|------|
| LD 317 | An Act Regarding the Business Equipment Tax Reimbursement Program and the Business Equipment Tax Exemption Program | ONTP |
| LD 762 | An Act To Facilitate Collection of Property Taxes on Personal Property | ONTP |

Property Tax - Current Use

Not Enacted

| | | |
|--------|---|------------------------|
| LD 107 | RESOLUTION, Proposing an Amendment to the Constitution of Maine To Permit the Legislature To Provide a One-year Period of Penalty Relief for Withdrawal of Forest Land from Current Use Valuation | MAJORITY (ONTP) REPORT |
|--------|---|------------------------|

Property Tax - Current Use

Not Enacted

| | | |
|--------|--|------|
| LD 400 | An Act To Amend the Maine Tree Growth Tax Law | ONTP |
| LD 492 | An Act To Increase Reimbursement to Municipalities under the Maine Tree Growth Tax Law | ONTP |

Property Tax - Exemptions

Enacted

| | | |
|---------|--|------------|
| LD 1164 | An Act To Allow Cooperative Housing Owners Who Are Blind To Qualify for the Property Tax Exemption | PUBLIC 416 |
|---------|--|------------|

Not Enacted

| | | |
|---------|--|---------------------|
| LD 10 | An Act To Provide a Property Tax Exemption for Family Burying Grounds | ONTP |
| LD 73 | An Act To Exempt Persons 65 Years of Age or Older Whose Income Is below the Poverty Line from Paying Property Taxes on Their Homes | ONTP |
| LD 316 | An Act To Provide Property Tax Relief for Noncombat Veterans | ONTP |
| LD 402 | An Act To Exempt Members of the Houlton Band of Maliseet Indians from Property Tax | DIED IN CONCURRENCE |
| LD 936 | An Act To Authorize Municipalities To Impose Service Charges on Tax-exempt Property Owned by Certain Nonprofit Organizations | CARRIED OVER |
| LD 998 | An Act To Provide Consistency in the Application of the Property Tax Exemption for Religious Organizations | CARRIED OVER |
| LD 1207 | An Act To Expand the Property Tax Exemption for Veterans Who Are 100% Disabled | ONTP |
| LD 1226 | An Act To Improve Maine Veterans' Property Tax Exemptions | ONTP |
| LD 1478 | An Act To Avoid Potential Loss of Revenue by Municipalities and the Unorganized Territory from Donated Property | ONTP |

Property Tax - General

Enacted

| | | |
|--------|--|------------|
| LD 719 | An Act To Ensure Access to Information in the Property Tax Abatement Process | PUBLIC 182 |
|--------|--|------------|

Not Enacted

| | | |
|--------|--|------|
| LD 562 | An Act Related to Service Charges in Lieu of Property Taxes on Tax-exempt Property | ONTP |
|--------|--|------|

Property Tax Relief Programs

Enacted

| | | |
|---------|---|-------------------------|
| LD 1570 | An Act To Delay the Implementation of Changes to the Business Equipment Tax Exemption | PUBLIC 385 EMERGENCY |
|---------|---|-------------------------|

Not Enacted

| | | |
|--------|---|------------------------|
| LD 136 | An Act To Amend the Priority of Distribution of Unappropriated Surplus for the Fiscal Year Ending June 30, 2014 | DIED ON ADJOURNMENT |
| LD 816 | An Act To Reduce the Property Tax Burden and Improve the Circuitbreaker Program | CARRIED OVER |
| LD 956 | An Act To Improve and Simplify the Application for Benefits under the Circuitbreaker Program | ONTP |

Sales Tax

Sales Tax

Enacted

| | | |
|--------|--|------------|
| LD 346 | An Act Concerning the Collection of Sales Tax by Any Businesses Making Sales to Persons in Maine | PUBLIC 200 |
| LD 720 | An Act To Eliminate Sales Tax Exemptions for Snowmobiles and All-terrain Vehicles Purchased by Nonresidents for Use in the State | PUBLIC 86 |
| LD 728 | An Act To Amend the Laws Dealing with the Taxing of the Purchase of Extended Service Contracts and Extended Service Contract Claims for Trucks | PUBLIC 156 |

Not Enacted

| | | |
|---------|---|------------------------|
| LD 319 | Resolve, To Direct the Department of Administrative and Financial Services, Bureau of Revenue Services To Report on Conformity with the Streamlined Sales and Use Tax Agreement | VETO SUSTAINED |
| LD 401 | An Act To Provide Local Sales Tax Increment Disbursements | DIED IN CONCURRENCE |
| LD 427 | An Act To Authorize Options for Local Revenue Enhancement | DIED BETWEEN HOUSES |
| LD 435 | Resolve, To Require the State Tax Assessor To Develop Agreements with Online Retailers for the Collection of Sales and Use Tax | ONTP |
| LD 734 | An Act Relating to the Sales Tax Exemption on Depreciable Equipment Used in Commercial Wood Harvesting | VETO SUSTAINED |
| LD 1141 | An Act To Increase the Sales Tax To Support Revenue Sharing | ONTP |
| LD 1206 | An Act To Ensure Equity in the Taxation of Food Items | ONTP |
| LD 1297 | An Act To Provide Funding for Public Education by Increasing the Sales Tax | ONTP |
| LD 1477 | An Act To Impose a Temporary One Percent Sales Tax for Education and Revenue Sharing | ONTP |

Sales Tax Exemptions, Exclusions or Refunds

Enacted

| | | |
|--------|---|------------|
| LD 279 | An Act To Sustain Maine's Aviation Industry by Extending the Exemption from Sales and Use Tax for Aircraft and Parts | PUBLIC 379 |
| LD 915 | An Act To Expand the Sales Tax Exemption for Certain Public Libraries To Include Sales by Those Libraries or Their Supporting Organizations | PUBLIC 420 |

Not Enacted

| | | |
|--------|---|---------------------------|
| LD 119 | An Act To Exempt from the Use Tax \$1,000 of Internet Purchases from Out-of-state Sellers | ONTP |
| LD 126 | An Act To Provide a Sales Tax Exemption to Incorporated Nonprofit Performing Arts Organizations | CARRIED OVER |
| LD 212 | An Act To Provide a Sales Tax Refund for Tobacco Sold to a Member of a Federally Recognized Indian Tribe for Cultural, Spiritual or Ceremonial Purposes | INDEF PP |
| LD 318 | An Act To Establish a Sales Tax Holiday for Purchases Made during the Month of January | MAJORITY (ONTP) REPORT |
| LD 698 | An Act To Provide an Exemption from Fuel and Sales Taxes to Persons Engaged in Snowmobile Trail Grooming | ONTP |

Sales Tax Exemptions, Exclusions or Refunds

Not Enacted

| | | |
|---------|--|---------------------------|
| LD 741 | An Act To Promote Fairness in the Sales Tax Exemption for Vehicles Used in Interstate Commerce | CARRIED OVER |
| LD 916 | An Act To Promote Investment in Maine's Communications Network and Natural Gas Network | CARRIED OVER |
| LD 979 | An Act To Exempt the Sale of the United States Flag from the Sales Tax | CARRIED OVER |
| LD 1007 | An Act Relating to Precious Metal Coins | MAJORITY (ONTP) REPORT |
| LD 1370 | An Act To Exempt from Sales Tax the Sales of Adaptive Equipment To Make a Vehicle Handicapped Accessible | HELD BY GOVERNOR |

Tax Expenditure Review

Not Enacted

| | | |
|---------|--|----------------------|
| LD 1120 | An Act To Improve Maine's Tax Laws | CARRIED OVER |
| LD 1126 | An Act Regarding Corporate Income Tax Disclosure | ONTP |
| LD 1255 | Resolve, To Provide Greater Depth and Transparency to the Review of Foregone Revenue Identified in the Biennial Tax Expenditure Report | ONTP |
| LD 1446 | An Act To Review Tax Expenditures on a Revolving Basis | LEAVE TO WITHDRAW |
| LD 1463 | An Act To Examine Best Practices Relating to Tax Expenditures | CARRIED OVER |
| LD 1488 | An Act To Create a Tax Expenditures Budget Process | ONTP |

Tax Increment Financing

Enacted

| | | |
|--------|---|------------|
| LD 563 | An Act To Clarify Tax Increment Financing | PUBLIC 184 |
|--------|---|------------|

Not Enacted

| | | |
|--------|---|------|
| LD 412 | An Act To Expand Employment Tax Increment Financing To Support Job Creation | ONTP |
|--------|---|------|

Tax Reform - Restructuring

Not Enacted

| | | |
|---------|---|------------------------|
| LD 1110 | An Act To Simplify the Tax Code | ONTP |
| LD 1113 | An Act To Provide Tax Fairness to Maine's Middle Class and Working Families | DIED BETWEEN HOUSES |
| LD 1124 | An Act To Provide Income Tax Relief | ONTP |
| LD 1496 | An Act To Modernize and Simplify the Tax Code | ONTP |

Unorganized Territory

Enacted

Unorganized Territory

Enacted

LD 1228 An Act To Establish Municipal Cost Components for Unorganized Territory
Services To Be Rendered in Fiscal Year 2013-14

LD 1414 Resolve, Authorizing the State Tax Assessor To Convey the Interest of the
State in Certain Real Estate in the Unorganized Territory

PUBLIC 174
EMERGENCY
RESOLVE 32

STATE OF MAINE
126TH LEGISLATURE
FIRST REGULAR SESSION



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

JOINT STANDING COMMITTEE ON TRANSPORTATION

July 2013

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Joint Standing Committee on Transportation

**LD 11 An Act To Allow Vehicles Engaged in Snow Removal or Sanding
Operations on Public Ways To Use Preemptive Traffic Light Devices**

**PUBLIC 61
EMERGENCY**

| <u>Sponsor(s)</u> | <u>Committee Report</u> | <u>Amendments Adopted</u> |
|-------------------|-------------------------|---------------------------|
| VOLK COLLINS | OTP-AM | H-33 |

This bill allows a vehicle owned or contracted by a municipal, county or state agency engaged in snow removal or sanding operations on a public way to use a preemptive traffic light device.

Committee Amendment "A" (H-33)

This bill allows a vehicle owned or contracted by a municipal, county or state agency engaged in snow removal or sanding operations on a public way to use a preemptive traffic light device.

This amendment, which strikes and replaces the bill, clarifies that a vehicle owned or contracted by a municipality engaged in snow removal or sanding operations must be authorized by the municipal officers.

The amendment provides that the definition of "preemptive traffic light device" includes both a signal prioritization device and a signal preemption device and provides definitions for those terms. The amendment clarifies that an authorized emergency vehicle may be equipped with a signal prioritization device and a signal preemption device and must be given the right-of-way at a signalized intersection. The amendment further provides that a transit route bus, a vehicle engaged in snow removal or sanding operations and a vehicle used by the Department of Transportation for the purpose of installing, maintaining or testing a lighted traffic control device may be equipped with and use a signal prioritization device. Finally, the amendment provides that a vehicle used by the Department of Transportation for installing or maintaining a lighted traffic control device has the lowest level of priority at a signalized intersection.

Enacted Law Summary

Public Law 2013, chapter 61 allows a vehicle owned or contracted by a municipal, county or state agency engaged in snow removal or sanding operations on a public way to use a preemptive traffic light device.

The law clarifies that a vehicle owned or contracted by a municipality engaged in snow removal or sanding operations must be authorized by the municipal officers. It also provides that the definition of "preemptive traffic light device" includes both a signal prioritization device and a signal preemption device and provides definitions for those terms. The law clarifies that an authorized emergency vehicle may be equipped with a signal prioritization device and a signal preemption device and must be given the right-of-way at a signalized intersection. The law further provides that a transit route bus, a vehicle engaged in snow removal or sanding operations and a vehicle used by the Department of Transportation for the purpose of installing, maintaining or testing a lighted traffic control device may be equipped with and use a signal prioritization device. Finally, the law provides that a vehicle used by the Department of Transportation for installing or maintaining a lighted traffic control device has the lowest level of priority at a signalized intersection.

Public Law 2013, chapter 61 was enacted as an emergency measure effective May 7, 2013.

Joint Standing Committee on Transportation

LD 12 Resolve, Directing the Department of Transportation To Add a ONTP
Reference to the Katahdin Trail to the Sign for the First Newport Exit
on Interstate 95 North

| <u>Sponsor(s)</u> | <u>Committee Report</u> | <u>Amendments Adopted</u> |
|-------------------|-------------------------|---------------------------|
| DAVIS THOMAS | ONTP | |

This resolve directs the Department of Transportation to amend the directional exit sign on Interstate 95 at the first northbound exit at Newport that now refers to Moose Mountain to include a reference to the Katahdin Trail.

LD 13 Resolve, Directing the Maine Turnpike Authority To Place Signs ONTP
Directing Motorists to Berwick Academy

| <u>Sponsor(s)</u> | <u>Committee Report</u> | <u>Amendments Adopted</u> |
|--------------------|-------------------------|---------------------------|
| BEAVERS COLLINS | ONTP | |

This resolve directs the Maine Turnpike Authority to place directional signs on the Maine Turnpike at the northbound and southbound exits of the highway that are located closest to Berwick Academy and directs Berwick Academy to assume all costs associated with the signs.

LD 14 Resolve, Directing the Department of Transportation To Name a Bridge RESOLVE 6
between Kennebunk and Kennebunkport the Mathew J. Lanigan EMERGENCY
Bridge

| <u>Sponsor(s)</u> | <u>Committee Report</u> | <u>Amendments Adopted</u> |
|-----------------------|-------------------------|---------------------------|
| CASAVANT DUTREMBLE | OTP-AM | H-3 |

This resolve directs the Department of Transportation to designate the bridge on State Route 9 that crosses the Kennebunk River between the Town of Kennebunk and the Town of Kennebunkport the Mathew Lanigan Bridge.

Committee Amendment "A" (H-3)

This amendment clarifies that the bridge on State Route 9 that crosses the Kennebunk River between the Town of Kennebunk and the Town of Kennebunkport is currently designated as Bridge No. 2230 in the Department of Transportation's inventory of bridges. The amendment also changes the name of the bridge from the Mathew Lanigan Bridge to the Mathew J. Lanigan Bridge.

Enacted Law Summary

Resolve 2013, chapter 6 directs the Department of Transportation to designate the bridge on State Route 9 that crosses the Kennebunk River between the Town of Kennebunk and the Town of Kennebunkport the Mathew J. Lanigan Bridge.

Resolve 2013, chapter 6 was finally passed as an emergency measure effective April 9, 2013.

Joint Standing Committee on Transportation

LD 17 An Act To Require Motorists To Stop for Pedestrians in Crosswalks

**ACCEPTED
MAJORITY
(ONTP) REPORT**

| <u>Sponsor(s)</u> | <u>Committee Report</u> | <u>Amendments Adopted</u> |
|---------------------|-------------------------|---------------------------|
| MORRISON MILLETT | ONTP OTP | |

Current law requires the operator of a motor vehicle to yield the right-of-way to a pedestrian crossing within a marked crosswalk. This bill requires the operator of a motor vehicle to stop and yield the right-of-way to a pedestrian crossing within a marked crosswalk.

LD 21 An Act To Amend the Motor Vehicle Laws Governing Requisite Tire Size and Frame Height

PUBLIC 30

| <u>Sponsor(s)</u> | <u>Committee Report</u> | <u>Amendments Adopted</u> |
|-------------------|-------------------------|---------------------------|
| HAMPER HAYES | OTP-AM | S-4 |

The Maine Revised Statutes, Title 29-A, section 1920 sets standards for maximum and minimum frame end height requirements for motor vehicles and the Maine Motor Vehicle Inspection Manual requires that a vehicle fail inspection if a tire contacts any part of the body of the vehicle. In light of these existing requirements, this bill removes a provision in law that requires the overall diameter of a properly mounted and inflated tire of a motor vehicle to be within 2 inches of the range of sizes recommended by the manufacturer of the motor vehicle.

Committee Amendment "A" (S-4)

This amendment provides that a motor vehicle of 10,001 pounds to 11,500 pounds, based on the manufacturer's gross vehicle weight rating, may not be operated on a public way or receive a certificate of inspection with a maximum frame end height that is greater than 29 inches in the front and 31 inches in the rear.

Enacted Law Summary

Public Law 2013, chapter 30 provides that a motor vehicle of 10,001 pounds to 11,500 pounds, based on the manufacturer's gross vehicle weight rating, may not be operated on a public way or receive a certificate of inspection with a maximum frame end height that is greater than 29 inches in the front and 31 inches in the rear.

LD 51 An Act To Allow Lifetime Disability Plates or Placards for Eligible Applicants with Lower Limb Loss

ONTP

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

This bill provides that the disability plate or placard for a person with loss of all or part of one or both lower limbs does not expire during the eligible applicant's lifetime.

Joint Standing Committee on Transportation

LD 52 An Act To Improve the Safety of School Buses

ONTP

| <u>Sponsor(s)</u> | <u>Committee Report</u> | <u>Amendments Adopted</u> |
|-------------------|-------------------------|---------------------------|
| JOHNSON P | ONTP | |

This bill requires that school buses purchased after January 1, 2017 be equipped with bumpers that conform to United States Department of Transportation requirements for bumpers on semitrailers.

LD 57 An Act To Exempt Occupants of Antique Autos from Seat Belt Requirements

**ACCEPTED
MAJORITY
(ONTP) REPORT**

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

This bill exempts the driver and passengers of an antique auto registered pursuant to the Maine Revised Statutes, Title 29-A, section 457 from having to wear seat belts.

Committee Amendment "A" (S-17)

The bill exempts the driver and passengers of an antique auto registered pursuant to the Maine Revised Statutes, Title 29-A, section 457 from having to wear seat belts.

This amendment exempts the driver and passengers of an antique auto from having to wear seat belts only when participating in a parade. This amendment is the minority report of the committee.

LD 66 An Act To Require That Motorcyclists Wear Helmets

**ACCEPTED
MAJORITY
(ONTP) REPORT**

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

Current law requires persons under 18 years of age to wear a helmet when operating a motorcycle or riding as a passenger on a motorcycle as well as persons operating under a learner's permit or within one year of completing a driving test and any passengers.

This bill requires all operators and passengers of motorcycles on public ways to wear protective helmets.

Joint Standing Committee on Transportation

**LD 67 An Act To Strengthen Collaboration in the Transfer of Responsibilities
for State and State Aid Highways**

**ACCEPTED
MAJORITY
(ONTP) REPORT**

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

This bill amends the existing urban compact road transfer process by requiring the Department of Transportation to work collaboratively with the affected municipality to ensure that a section of state or state aid highway transferred to a municipality for maintenance responsibilities is in good condition. In addition to outlining the information and documents that must be provided to the affected municipality, the bill provides a more detailed definition of "good condition" and creates a dispute resolution process to address contested issues.

Committee Amendment "A" (H-63)

This amendment, which is the minority report, strikes from the bill provisions regarding collaboration between the Department of Transportation and an affected municipality, including a provision for dispute resolution, regarding maintenance of certain state or state aid highways transferred to a municipality. The amendment keeps provisions of the bill that provide a more detailed definition of "good condition" for the purpose of determining whether a municipality, rather than the State, is responsible for year-round maintenance of state and state aid highways located within an urban compact area.

**LD 68 An Act To Prohibit the Use of a Handheld Mobile Telephone while
Operating a Motor Vehicle**

**ACCEPTED
MAJORITY
(ONTP) REPORT**

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

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" (H-19)

This amendment is the minority report of the committee and adds an appropriations and allocations section to the bill.

Joint Standing Committee on Transportation

LD 74 Resolve, Directing the Department of Transportation To Place a Sign on Northbound Interstate 95 Directing Motorists to Lee Academy DIED BETWEEN HOUSES

| <u>Sponsor(s)</u> | <u>Committee Report</u> | <u>Amendments Adopted</u> |
|-------------------|-------------------------|---------------------------|
| TURNER CAIN | ONTP OTP | |

This resolve directs the Department of Transportation to place a directional sign on Interstate 95 at the northbound exit of the highway that is located closest to Lee Academy and directs Lee Academy to assume all costs associated with the sign.

LD 75 An Act To Ensure Pedestrian Safety in Roundabouts ONTP

| <u>Sponsor(s)</u> | <u>Committee Report</u> | <u>Amendments Adopted</u> |
|-------------------|-------------------------|---------------------------|
| WILSON KATZ | ONTP | |

This bill requires the Department of Transportation to install whenever practicable a crosswalk at a high-use roundabout on a state highway at least 150 feet from the edge of the roundabout.

LD 108 An Act To Rename Big Moose Mountain as Red Eagle Mountain CARRIED OVER

| <u>Sponsor(s)</u> | <u>Committee Report</u> | <u>Amendments Adopted</u> |
|-------------------|-------------------------|---------------------------|
| JOHNSON P | | |

This bill requires the Piscataquis County commissioners to change the name of Big Moose Mountain in the Moosehead Lake region to Red Eagle Mountain, to honor Chief Henry Red Eagle, a Maliseet Indian who was born and raised in the Moosehead region. The bill also requires the county commissioners to notify the appropriate authorities and agencies of the name change and requires that any existing road signs designating Big Moose Mountain be changed to refer to Red Eagle Mountain by the Department of Transportation and the Maine Turnpike Authority.

This bill was carried over to any special or regular session of the 126th Legislature by joint order, H.P. 1145, as amended by H-B (H-580) and H-C (H-582).

LD 109 An Act Relating to Vehicles Delivering Home Heating Fuel PUBLIC 55

| <u>Sponsor(s)</u> | <u>Committee Report</u> | <u>Amendments Adopted</u> |
|-------------------|-------------------------|---------------------------|
| DAVIS BURNS | OTP-AM | H-24 |

This bill clarifies that the provision of law stating that vehicles delivering home heating fuel are exempt from weight limits includes vehicles delivering firewood, wood pellets, propane and fuel oil, thus allowing such vehicles to use posted roads.

Joint Standing Committee on Transportation

Committee Amendment "A" (H-24)

This amendment, which strikes and replaces the bill, provides that rules adopted by the Department of Transportation to ensure proper use and prevent abuse of public ways under the jurisdiction of the department are routine technical rules.

In addition, under current law, county commissioners and municipal officers may impose restrictions on gross weight, speed, operation and equipment on public ways within their jurisdictions. The amendment clarifies that restrictions adopted by county commissioners and municipal officers are not rules subject to the Maine Administrative Procedure Act. The amendment also directs the department to include in the definition of "home heating fuel" oil, gas, coal, stove-length wood, propane and wood pellets.

Enacted Law Summary

Public Law 2013, chapter 55 provides that rules adopted by the Department of Transportation to ensure proper use and prevent abuse of public ways under the jurisdiction of the department are routine technical rules.

In addition, under current law, county commissioners and municipal officers may impose restrictions on gross weight, speed, operation and equipment on public ways within their jurisdictions. This law clarifies that restrictions adopted by county commissioners and municipal officers are not rules subject to the Maine Administrative Procedure Act. The law also directs the department to include in the definition of "home heating fuel" oil, gas, coal, stove-length wood, propane and wood pellets.

LD 120 An Act To Facilitate Regional Transit

CARRIED OVER

Sponsor(s)

PEOPLES
PLUMMER

Committee Report

Amendments Adopted

This bill, which is a concept draft, proposes to enact measures designed to enable the delivery of cost-effective, sustainable and customer-focused transportation services that will meet the current and future needs of the State.

This bill was carried over to any special or regular session of the 126th Legislature by joint order, H.P. 1145, as amended by H-B (H-580) and H-C (H-582).

**LD 127 An Act Relating to Ways under the Jurisdiction of the Midcoast
Regional Redevelopment Authority and the Loring Development
Authority**

PUBLIC 48

Sponsor(s)

GERZOFSKY
PRIEST

Committee Report

OTP-AM

Amendments Adopted

S-15

This bill amends the definition of "public way" as used in the Maine Revised Statutes, Title 29-A to include a way owned by a quasi-municipal corporation or district.

Committee Amendment "A" (S-15)

This amendment, which strikes and replaces the bill, provides a law enforcement officer the authority to enforce the traffic laws on a way under the jurisdiction of the Midcoast Regional Redevelopment Authority and the Loring Development Authority.

Joint Standing Committee on Transportation

Enacted Law Summary

Public Law 2013, chapter 48 provides a law enforcement officer the authority to enforce the traffic laws on a way under the jurisdiction of the Midcoast Regional Redevelopment Authority and the Loring Development Authority.

LD 187 An Act To Permit Temporary Operation of a Motor Vehicle with an Expired Operator's License Solely for the Purpose of Traveling Home or Renewing the License PUBLIC 24

| <u>Sponsor(s)</u> | <u>Committee Report</u> | <u>Amendments Adopted</u> |
|--------------------|-------------------------|---------------------------|
| CASAVANT TUTTLE | OTP | |

This bill allows a law enforcement officer to issue a permit to a person whose operator's license has expired within the previous 90 days to allow that person to drive to the operator's residence or to an office of the Department of the Secretary of State, Bureau of Motor Vehicles for the sole purpose of renewing the operator's license.

Enacted Law Summary

Public Law 2013, chapter 24 allows a law enforcement officer to issue a permit to a person whose operator's license has expired within the previous 90 days to allow that person to drive to the operator's residence or to an office of the Department of the Secretary of State, Bureau of Motor Vehicles for the sole purpose of renewing the operator's license.

LD 226 An Act To Establish a Renewable Energy License Plate ONTP

| <u>Sponsor(s)</u> | <u>Committee Report</u> | <u>Amendments Adopted</u> |
|-----------------------|-------------------------|---------------------------|
| RYKERSON CLEVELAND | ONTP | |

This bill establishes a specialty license plate to increase funding for renewable energy programs.

LD 270 An Act To Improve the Motor Vehicle Inspection System ONTP

| <u>Sponsor(s)</u> | <u>Committee Report</u> | <u>Amendments Adopted</u> |
|------------------------|-------------------------|---------------------------|
| JACKSON T THERIAULT | ONTP | |

This bill, which is a concept draft, proposes to improve the motor vehicle inspection system.

Joint Standing Committee on Transportation

LD 324 An Act To Make 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, 2013

**PUBLIC 42
EMERGENCY**

| <u>Sponsor(s)</u> | <u>Committee Report</u> | <u>Amendments Adopted</u> |
|----------------------|-------------------------|---------------------------|
| THERIAULT COLLINS | OTP-AM | H-6 |

Part A makes appropriations and allocations of funds for the fiscal year ending June 30, 2013.

Part B makes allocations of funds for approved reclassifications.

Committee Amendment "A" (H-6)

This amendment strikes and replaces Parts A and B.

This amendment adds to the bill the following:

1. A Highway Fund allocation of \$2,000,000 to the Highway and Bridge Capital program for capital projects;
2. A Highway Fund allocation of \$213,160 to the Urban-Rural Initiative Program;
3. The recognition of \$155,809 in Highway Fund Personal Services savings from vacancies within the Department of Public Safety, Bureau of State Police; and
4. An Island Ferry Services Fund allocation of \$450,000 to the Multimodal - Island Ferry Service program for increased repairs and fuel costs.

Enacted Law Summary

Public Law 2013, chapter 42 does the following:

1. A Highway Fund allocation of \$2,000,000 to the Highway and Bridge Capital program for capital projects;
2. A Highway Fund allocation of \$213,160 to the Urban-Rural Initiative Program;
3. The recognition of \$155,809 in Highway Fund Personal Services savings from vacancies within the Department of Public Safety, Bureau of State Police; and
4. An Island Ferry Services Fund allocation of \$450,000 to the Multimodal - Island Ferry Service program for increased repairs and fuel costs.

Public Law 2013, chapter 42 was enacted as an emergency measure effective April 16, 2013.

LD 327 An Act To Allow Media Motor Vehicles To Be Equipped with Amber Auxiliary Lights

**DIED BETWEEN
HOUSES**

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

Joint Standing Committee on Transportation

This bill allows a media company vehicle to be equipped with amber auxiliary lights and to use those lights only if that vehicle is at an accident site on a public way.

LD 332 Resolve, To Direct the Department of Transportation To Provide Signs on Interstate 95, on Interstate 395 and in the City of Brewer for the Underground Railroad Memorial at Chamberlain Freedom Park **DIED BETWEEN HOUSES**

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

This resolve directs the Department of Transportation to provide signs on Interstate 95, on Interstate 395 and in the City of Brewer to inform travelers of the Underground Railroad Memorial at Chamberlain Freedom Park.

Committee Amendment "A" (H-23)

This amendment is the minority report of the committee and adds an appropriations and allocations section to the resolve.

LD 342 An Act To Waive Driver's License and Nondriver Identification Card Fees for Current and Recently Discharged Members of the Armed Forces **PUBLIC 51**

| <u>Sponsor(s)</u> | <u>Committee Report</u> | <u>Amendments Adopted</u> |
|-------------------|-------------------------|---------------------------|
| WILSON PLUMMER | OTP-AM | H-34 |

This bill eliminates the driver's license fee or nondriver identification card fee for a person who is currently serving in the United States Armed Forces. It also eliminates the driver's license fee or nondriver identification card fee for a person who has served in the United States Armed Forces and who has been discharged or released within 2 years of the person's discharge or release.

Committee Amendment "A" (H-34)

This amendment changes the amount of time within which a person released or discharged from the United State Armed Forces may obtain a driver's license or nondriver identification card without paying a fee from 2 years as proposed in the bill to 180 days.

Enacted Law Summary

Under current law, a resident who is serving on active duty in the United States Armed Forces and is otherwise qualified to operate a motor vehicle is exempt from the driver's license fee. Public Law 2013, chapter 51 also eliminates the fee for a nondriver identification card for a person who is currently serving in the United States Armed Forces.

Under current law, the exemption from the payment of a fee for a license remains in effect for a period of 30 days after discharge or release from the Armed Forces. Public Law 2013, chapter 51 extends this period to 180 days after discharge or release from the Armed Forces. This exemption from the payment of a fee also applies to the nondriver identification card for a person recently discharged or release from the Armed Forces.

Joint Standing Committee on Transportation

LD 362 An Act To Prohibit Use of Public Funds for a Private Transportation Study ONTP

| <u>Sponsor(s)</u> | <u>Committee Report</u> | <u>Amendments Adopted</u> |
|------------------------|-------------------------|---------------------------|
| VALENTINO THERIAULT | ONTP | |

This bill prohibits the use of Department of Transportation funds to pay for a traffic and revenue study or finance plan in connection with a proposal for a transportation facility made by a private entity.

LD 363 An Act To Improve Safety on Railroad Rights-of-way ONTP

| <u>Sponsor(s)</u> | <u>Committee Report</u> | <u>Amendments Adopted</u> |
|------------------------|-------------------------|---------------------------|
| JOHNSON C THERIAULT | ONTP | |

This bill expands the prohibition on being on or crossing a railroad track or bridge by including railroad rights-of-way and persons crossing at other than designated crossing locations. This bill also increases the civil penalty and clarifies liability for a person being on or crossing a railroad track or right-of-way and makes repeat violations and colliding with a train or railroad equipment crimes.

LD 371 Resolve, Regarding Revenue from the World Acadian Congress Commemorative Registration Plate RESOLVE 4 EMERGENCY

| <u>Sponsor(s)</u> | <u>Committee Report</u> | <u>Amendments Adopted</u> |
|------------------------|-------------------------|---------------------------|
| JACKSON T THERIAULT | OTP | |

This resolve amends Resolve 2011, chapter 156, which authorized the sale of World Acadian Congress commemorative simulated registration plates, to provide the correct fiscal agent for the entity that is the beneficiary of the revenue, less costs, from the sale of the plates. Because the plates have been on sale since December 2012, the change in the name is made retroactive to the effective date of the authorizing resolve.

Enacted Law Summary

Resolve 2013, chapter 4 amends Resolve 2011, chapter 156, which authorized the sale of World Acadian Congress commemorative simulated registration plates, to provide the correct fiscal agent for the entity that is the beneficiary of the revenue, less costs, from the sale of the plates. Because the plates have been on sale since December 2012, the change in the name is made retroactive to the effective date of the authorizing resolve.

Resolve 2013, chapter 4 was finally passed as an emergency measure effective April 9, 2013.

LD 403 Resolve, To Establish a Task Force on the Establishment of So-called Complete Streets Design Guidelines ONTP

| <u>Sponsor(s)</u> | <u>Committee Report</u> | <u>Amendments Adopted</u> |
|----------------------|-------------------------|---------------------------|
| PEOPLES VALENTINO | ONTP | |

Joint Standing Committee on Transportation

This resolve directs the Commissioner of Transportation to establish a task force to develop so-called complete streets design guidelines to apply whenever state or federal funds are used to build or reconstruct a road or bridge and to develop a statewide policy designed to enable the delivery of cost-effective, sustainable and customer-focused transportation services that will meet the current and future needs of the State.

LD 404 An Act To Exempt Snowmobile Clubs from Certain Department of Transportation Sign Requirements ONTP

| <u>Sponsor(s)</u> | <u>Committee Report</u> | <u>Amendments Adopted</u> |
|---------------------|-------------------------|---------------------------|
| BROOKS THIBODEAU | ONTP | |

This bill adds directional signs of a snowmobile club affiliated with a statewide nonprofit association established for the purpose of promoting snowmobiling to the list of categorical signs that may be erected and maintained without a license or permit.

LD 405 An Act To Increase Municipal Agent Fees for Licensing and Registration of Motor Vehicles VETO SUSTAINED

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

This bill increases the motor vehicle licensing and registration service fees that may be assessed, collected and retained by municipalities. The allowable service fee for the renewal of a license or registration is increased from \$3 to \$5, and the allowable service fee for the issuance of a new license or registration is increased from \$4 to \$6.

LD 406 An Act To Require Antique Automobiles That Are Operated on the Highways To Be Inspected ONTP

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

Current law exempts antique autos from motor vehicle inspections. This bill requires antique autos to be inspected based upon standards determined by the Chief of the State Police.

LD 407 Resolve, Relating to Guide Signs on Highways RESOLVE 14

| <u>Sponsor(s)</u> | <u>Committee Report</u> | <u>Amendments Adopted</u> |
|----------------------|-------------------------|---------------------------|
| JACKSON R MASON G | OTP-AM | H-39 |

This resolve directs the Maine Turnpike Authority to place directional signs for Oxford Casino in the Town of Oxford on the Maine Turnpike at the northbound and southbound exits of the highway that are located closest to Oxford Casino and directs Oxford Casino to assume all costs associated with the signs.

Committee Amendment "A" (H-39)

Joint Standing Committee on Transportation

This amendment, which strikes and replaces the resolve, directs the Department of Transportation and the Maine Turnpike Authority to develop a proposed policy and specifications relating to guide signs on all roads open to public travel after an update to the national standards for guide signs during the summer of 2013. The department and the authority are directed to report to the Joint Standing Committee on Transportation no later than January 15, 2014. The amendment also gives the Joint Standing Committee on Transportation authority to submit a bill to the Second Regular Session of the 126th Legislature relating to the subject matter of the report.

Enacted Law Summary

Resolve 2013, chapter 14 directs the Department of Transportation and the Maine Turnpike Authority to develop a proposed policy and specifications relating to guide signs on all roads open to public travel after an update to the national standards for guide signs during the summer of 2013. The department and the authority are directed to report to the Joint Standing Committee on Transportation no later than January 15, 2014. The law also gives the Joint Standing Committee on Transportation authority to submit a bill to the Second Regular Session of the 126th Legislature relating to the subject matter of the report.

LD 429 An Act To Authorize a GARVEE Bond for the Repair of Deficient ONTP
Arterial State Highways and Bridges

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

This bill authorizes the Maine Municipal Bond Bank to issue \$80,000,000 in federally authorized grant anticipation revenue vehicle debt financing instruments, GARVEE bonds, to be repaid with federal highway funds, the proceeds of which will be used by the Department of Transportation to address the worst deficiencies on Priority 1 and Priority 2 roads and bridges. This bill is consistent with the 2011 statutory goal to improve by 2022 all Priority 1 and Priority 2 corridors so that their safety, condition and serviceability customer service levels equal Fair or better.

LD 438 An Act To Add Trailers to the Additional Versions or Classes of a PUBLIC 66
Specialty Plate

| <u>Sponsor(s)</u> | <u>Committee Report</u> | <u>Amendments Adopted</u> |
|-------------------|-------------------------|---------------------------|
| JACKSON T | OTP-AM | S-28 |

This bill expands the types of vehicles on which a special sportsman registration plate may be displayed to include motorcycles and trailers.

Committee Amendment "A" (S-28)

This amendment, which replaces the bill, provides that the Secretary of State may issue a specialty plate in a trailer plate class if at least 10,000 sets of the specialty plate have been issued for automobiles and pickup trucks and the sponsor of the proposed new specialty plate class provides a list of 500 supporters and corresponding \$25 contribution for each set of plates, in the amount of \$12,500, to the Secretary of State. If these requirements are met, current law provides that the Secretary of State is required to prepare enabling legislation and a proposed plate design for submission to the Legislature and to deposit the \$12,500 in the Specialty Plate Fund.

Enacted Law Summary

Public Law 2013, chapter 66 provides that the Secretary of State may issue a specialty plate in a trailer plate class if at least 10,000 sets of the specialty plate have been issued for automobiles and pickup trucks and the sponsor of the proposed new specialty plate class provides a list of 500 supporters and corresponding \$25 contribution for each set of plates, in the amount of \$12,500, to the Secretary of State.

Joint Standing Committee on Transportation

If these requirements are met, current law provides that the Secretary of State is required to prepare enabling legislation and a proposed plate design for submission to the Legislature and to deposit the \$12,500 in the Specialty Plate Fund.

LD 446 Resolve, Directing the Department of Transportation To Develop a Less Corrosive Road Deicing Strategy ONTP

| <u>Sponsor(s)</u> | <u>Committee Report</u> | <u>Amendments Adopted</u> |
|-------------------|-------------------------|---------------------------|
| THOMAS DAVIS | ONTP | |

This resolve requires the Department of Transportation to develop a less corrosive road deicing strategy. The department is directed to report no later than April 7th annually on the department's progress toward developing a less corrosive strategy to the joint standing committee of the Legislature having jurisdiction over transportation matters beginning in 2014 and ending in 2018, and the joint standing committee is authorized to submit legislation as needed relating to the department's reports.

LD 472 An Act To Allow Properly Lifted Vehicles To Operate ONTP

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

This bill allows a motor vehicle to have its suspension modified to be higher than the height at which the vehicle was originally manufactured if the modification is performed by a person authorized by the Chief of the State Police. An authorized person who modifies a suspension to be higher than the height at which the motor vehicle was originally manufactured is required to issue a suspension lift certificate to the owner or operator of the vehicle, who is required to present the certificate to a mechanic performing an annual inspection of the vehicle. If a person who owns or operates a motor vehicle that has a suspension at a height higher than the height at which the vehicle was originally manufactured fails to produce a suspension lift certificate on request of a law enforcement officer, it is presumed that the motor vehicle does not have a suspension lift certificate.

LD 473 Resolve, To Widen the Shoulders of Highways ONTP

| <u>Sponsor(s)</u> | <u>Committee Report</u> | <u>Amendments Adopted</u> |
|------------------------|-------------------------|---------------------------|
| THERIAULT JACKSON T | ONTP | |

This resolve directs the Department of Transportation to review and evaluate the roadside brush-control program within the department. The resolve directs the department to increase the safety clear zone along highways under the jurisdiction of the department to at least 12 feet and to give priority to areas where accidents have occurred. The resolve also directs the department to submit a report on the roadside brush-control program to the Joint Standing Committee on Transportation no later than February 1, 2014. The resolve gives the Joint Standing Committee on Transportation authority to submit a bill during the Second Regular Session of the 126th Legislature relating to the subject matter of the report.

Joint Standing Committee on Transportation

LD 479 An Act To Require Center Line Markings on All State and State Aid Highways ONTP

| <u>Sponsor(s)</u> | <u>Committee Report</u> | <u>Amendments Adopted</u> |
|-------------------|-------------------------|---------------------------|
| TURNER CAIN | ONTP | |

This bill requires the Department of Transportation to install center line markings on all state and state aid highways.

LD 483 An Act To Promote Small Businesses by Enhancing the Use of On-premises Signs ACCEPTED MAJORITY (ONTP) REPORT

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

This bill amends the use of on-premises signs in the following ways.

1. It recognizes the value and the role of signs for disseminating information to the motoring public.
2. It provides definitions of "point of interest," "outdoor area" and "principal structure" for purposes of determining distance for placement of on-premises signs.
3. It increases the distance that a sign may be erected from a principal structure of a business or point of interest from 1,000 feet to 1,500 feet.
4. It allows on-premises signs to be placed within 20 feet of the edge of the paved portion of certain public ways with more than two travel lanes only if the signs are erected using approved breakaway mounting devices.
5. It repeals the authority of the Commissioner of Transportation to waive the prohibition on the placement of certain on-premises signs within 20 feet of the edge of the paved portion of certain public ways.
6. It increases from two to three the number of approach signs a business or point of interest may have on its lot of record if that business or point of interest is not visible from or is located more than 1,000 feet from a public way intersection and expands the limit of the total surface area to 100 square feet per side.
7. It allows changeable signs to change once per minute; current law limits the change to once every 20 minutes. It also removes the restriction on the percentage of a changeable sign that may be used for display.
8. It allows a business or point of interest to have one changeable sign per public way that the business or point of interest abuts.
9. It allows time and temperature signs to also display the date and permits those signs to change as frequently as once every 2 seconds.
10. It allows for changeable signs to be erected adjacent to and for viewing from the interstate highway system.

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11. It increases the maximum height of a freestanding sign structure statewide from 25 feet to 35 feet above grade.

Committee Amendment "A" (H-65)

This amendment, which is the minority report, strikes from the bill the following:

1. The change to legislative findings under the Maine traveler information services law;
2. The definitions of "outdoor area" and "principal structure" for purposes of determining distance for placement of on-premises signs;
3. The increase of the distance that a sign may be erected from a principal structure of a business or point of interest from 1,000 feet to 1,500 feet;
4. The provision allowing on-premises signs to be placed within 20 feet of the edge of the paved portion of certain public ways with more than two travel lanes only if the signs are erected using approved breakaway mounting devices;
5. The provision repealing the authority of the Commissioner of Transportation to waive the prohibition on the placement of certain on-premises signs within 20 feet of the edge of the paved portion of certain public ways;
6. The increase of the number of approach signs, from two to three, a business or point of interest may have on its lot of record if that business or point of interest is not visible from the nearest public way or is located more than 1,000 feet from a public way intersection and the expansion of the limit of the total surface area to 100 square feet per side;
7. The provision allowing changeable signs to be erected adjacent to and for viewing from the interstate highway system; and
8. The increase of the maximum height of on-premises signs statewide from 25 feet to 35 feet above grade.

The amendment allows changeable signs to change once every 5 minutes, instead of once per minute as proposed by the bill; current law limits the change to once every 20 minutes.

The amendment also adds signs of a public facility, as defined by the Maine Revised Statutes, Title 27, section 452, subsection 5, to the list of categorical signs that may be erected and maintained without license or permit.

| | | |
|---------------|---|------------------|
| LD 494 | An Act Regarding Maine Commercial Motor Carrier Safety Regulations | PUBLIC 50 |
|---------------|---|------------------|

| <u>Sponsor(s)</u> | <u>Committee Report</u> | <u>Amendments Adopted</u> |
|-------------------|-------------------------|---------------------------|
| MAZUREK | OTP-AM | S-16 |

Current law requires any change to a rule adopted by the Department of Public Safety, Bureau of State Police that incorporates by reference federal regulations to be major substantive rulemaking, even if the change being made is a change that is being made to the federal regulations. This bill instead requires only substantive changes to the rule incorporating by reference the federal regulations to be major substantive rulemaking.

Committee Amendment "A" (S-16)

Current law provides that the Department of Public Safety, Bureau of State Police may adopt a rule to incorporate by reference Federal Motor Carrier Safety Administration regulations.

Joint Standing Committee on Transportation

This amendment clarifies that a rule adopted by the bureau is a major substantive rule if the rule substantively modifies current state amendments to federal motor carrier regulations.

Enacted Law Summary

Current law provides that the Department of Public Safety, Bureau of State Police may adopt a rule to incorporate by reference Federal Motor Carrier Safety Administration regulations.

Public Law 2013, chapter 50 clarifies that a rule adopted by the bureau is a major substantive rule if the rule substantively modifies current state amendments to federal motor carrier regulations.

LD 501 An Act Regarding Enforcement of Commercial Vehicle Laws ONTP

| <u>Sponsor(s)</u> | <u>Committee Report</u> | <u>Amendments Adopted</u> |
|--------------------------|-------------------------|---------------------------|
| THOMAS PEAVEY HASKELL | ONTP | |

This bill prohibits a state police officer or motor carrier inspector from disseminating information from a report prepared in connection with a roadside inspection of a motor carrier if a warning, rather than a summons, is issued for a violation of United States Department of Transportation, Federal Motor Carrier Safety Administration regulations that is not an out-of-service order.

LD 564 Resolve, To Establish a Working Group To Study Vision Requirements RESOLVE 21
for Obtaining a Driver's License and To Review the Current
Prohibition on the Use of Telescopic or Biotopic Lenses while Driving

| <u>Sponsor(s)</u> | <u>Committee Report</u> | <u>Amendments Adopted</u> |
|----------------------|-------------------------|---------------------------|
| MASON A CLEVELAND | OTP-AM | H-38 |

This bill directs the Department of the Secretary of State, Bureau of Motor Vehicles to amend its rules governing the standards for determining the physical, emotional and mental competence of a person to operate a motor vehicle. The bill directs the bureau to allow the use of telescopic or biotopic corrective lenses for the purposes of meeting any of the visual acuity requirements in bureau rules and during any phase of the driver's examination process for a Class C license.

Committee Amendment "A" (H-38)

This amendment, which strikes and replaces the resolve, directs the Department of the Secretary of State, Bureau of Motor Vehicles and the Medical Advisory Board to convene a working group to examine current vision standards to qualify for a driver's license. The amendment also directs the working group to review the bureau's current rule prohibiting the use of telescopic or biotopic lenses for the purposes of meeting any of the visual acuity requirements for obtaining a driver's license and while driving a motor vehicle. The amendment directs the bureau to report to the Joint Standing Committee on Transportation no later than January 15, 2014. The amendment also gives the Joint Standing Committee on Transportation authority to submit a bill to the Second Regular Session of the 126th Legislature relating to the subject matter of this report.

Enacted Law Summary

Resolve 2013, chapter 21 directs the Department of the Secretary of State, Bureau of Motor Vehicles and the Medical Advisory Board to convene a working group to examine current vision standards to qualify for a driver's license. The law directs the working group to review the bureau's current rule prohibiting the use of telescopic or

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bioptic lenses for the purposes of meeting any of the visual acuity requirements for obtaining a driver's license and while driving a motor vehicle. The law also directs the bureau to report to the Joint Standing Committee on Transportation no later than January 15, 2014. It also gives the Joint Standing Committee on Transportation authority to submit a bill to the Second Regular Session of the 126th Legislature relating to the subject matter of this report.

LD 565 Resolve, To Establish a Task Force To Study the Feasibility of Imposing ONTP
Tolls on Interstate 95

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

This resolve, which is a concept draft, proposes to establish a task force composed of legislators, highway user and other interested parties to study and analyze options for imposing tolls on portions of the Interstate Highway system in the State for the purpose of funding necessary highway improvements. The task force would analyze the advantages and disadvantages of imposing tolls, the financial and administrative requirements and the revenue potential from tolls and determine the extent to which federal constraints limit the State's authority.

LD 566 Resolve, To Enhance and Encourage Economic Development of the CARRIED OVER
Lower Penobscot River Basin by Improving Rail Transportation

| <u>Sponsor(s)</u> | <u>Committee Report</u> | <u>Amendments Adopted</u> |
|-------------------|-------------------------|---------------------------|
| CAMPBELL R | | |

This resolve directs the Department of Transportation to conduct a study to determine the feasibility and cost of improving the railroad line from the City of Brewer to the Town of Bucksport and to submit a report with findings and recommendations to the Joint Standing Committee on Transportation no later than February 1, 2014. The resolve also gives the Joint Standing Committee on Transportation authority to submit a bill relating to the subject matter of the report to the Second Regular Session of the 126th Legislature.

This bill was carried over to any special or regular session of the 126th Legislature by joint order, H.P. 1145, as amended by H-B (H-580) and H-C (H-582).

LD 567 An Act To Amend the Definition of "Special Mobile Equipment" in the PUBLIC 84
Motor Vehicle Laws

| <u>Sponsor(s)</u> | <u>Committee Report</u> | <u>Amendments Adopted</u> |
|-------------------|-------------------------|---------------------------|
| MAKER BURNS | OTP | |

This bill amends the definition of "special mobile equipment" in the motor vehicle laws in the provision regarding trucks used only to plow snow by adding to the truck's uses sanding and salting pertaining to winter maintenance. It removes from the definition trucks carrying sand only for ballast.

Enacted Law Summary

Public Law 2013, chapter 84 amends the definition of "special mobile equipment" in the motor vehicle laws in the provision regarding trucks used only to plow snow by adding to the truck's uses sanding and salting pertaining to winter maintenance. It removes from the definition trucks carrying sand only for ballast.

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LD 568 Resolve, To Name Bridge Number 2975 in Kenduskeag the Kenduskeag Veterans Bridge RESOLVE 7

| <u>Sponsor(s)</u> | <u>Committee Report</u> | <u>Amendments Adopted</u> |
|-------------------|-------------------------|---------------------------|
| GUERIN CUSHING | OTP | |

This resolve directs the Department of Transportation to designate bridge number 2975 in the Town of Kenduskeag as the Kenduskeag Veterans Bridge.

Enacted Law Summary

Resolve 2013, chapter 7 directs the Department of Transportation to designate bridge number 2975 in the Town of Kenduskeag as the Kenduskeag Veterans Bridge.

LD 569 Resolve, To Study the Impact of Higher Maine Turnpike Tolls on Workers, Businesses and Economic Development ONTP

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

This resolve establishes the Task Force To Study the Impact of Increased Tolls on Workers, Businesses and Economic Development.

LD 570 An Act To Create a Vintage Car Category in the Motor Vehicle Laws ONTP

| <u>Sponsor(s)</u> | <u>Committee Report</u> | <u>Amendments Adopted</u> |
|-------------------|-------------------------|---------------------------|
| COTTA KATZ | ONTP | |

This bill creates a new vehicle registration category called "vintage auto" for a motor vehicle more than 25 years old but less than 51 years old. The vintage auto must be inspected biennially.

LD 571 Resolve, To Require Signs Recognizing the 45th Parallel North in Maine ONTP

| <u>Sponsor(s)</u> | <u>Committee Report</u> | <u>Amendments Adopted</u> |
|------------------------------|-------------------------|---------------------------|
| PEAVEY HASKELL YOUNGBLOOD | ONTP | |

This resolve directs the Department of Transportation to place signs that are visible from both the northbound and southbound directions on the portion of Interstate 95 where the 45th parallel north intersects with that road in Argyle Township and where the 45th parallel north intersects with United States Route 2 in the Town of Milford.

Joint Standing Committee on Transportation

LD 582 An Act To Enhance and Encourage Economic Development of the Lower Penobscot River Basin by Creating a Niche Port Plan ONTP

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

This bill, which is a concept draft, proposes to amend the current law to enhance and encourage economic development and opportunities in the lower Penobscot River basin through the development of a strategic plan for niche port development in the region that would be similar to the Department of Transportation "three-port strategy."

LD 588 An Act To Abolish the Maine Turnpike Authority and Transfer Its Functions and Duties to the Department of Transportation ONTP

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

This bill abolishes the Maine Turnpike Authority and transfers its duties and the operation of the turnpike to the Department of Transportation. The department is required to submit a plan to the Joint Standing Committee on Transportation by January 1, 2014 that will accomplish the transfer by January 1, 2015.

LD 589 An Act To Strengthen the Law Regarding Texting and Driving PUBLIC 188

| <u>Sponsor(s)</u> | <u>Committee Report</u> | <u>Amendments Adopted</u> |
|-------------------|-------------------------|---------------------------|
| PEOPLES | OTP-AM | H-112 |

This bill makes texting and driving in which an accident occurs resulting in death or serious bodily injury a Class C crime.

Committee Amendment "A" (H-112)

This amendment, which replaces the bill, removes the upper limit on the fine for the first offense of the prohibition against engaging in text messaging while driving. The amendment increases the fine for a 2nd or subsequent offense within a 3-year period of the prohibition against engaging in text messaging while driving from not less than \$250 and not more than \$500 to not less than \$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 engaging in text messaging while driving within a 3-year period.

Enacted Law Summary

Public Law 2013, chapter 188 removes the upper limit on the fine for the first offense of the prohibition against engaging in text messaging while driving. The law also increases the fine for a 2nd or subsequent offense within a 3-year period of the prohibition against engaging in text messaging while driving from not less than \$250 and not more than \$500 to not less than \$500. It 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 engaging in text messaging while driving within a 3-year period.

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LD 590 Resolve, To Include Questions about Texting on the State's Written Driver's License Examination ONTP

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

This bill requires the Secretary of State to include questions about text messaging while driving on the Class C written driver's license examination.

LD 591 An Act To Amend the Laws Governing Motorcycle and Moped Permits PUBLIC 77

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

This bill removes the provision of law that prohibits a holder of a motorcycle or moped instruction permit from operating a motorcycle or moped at night.

Enacted Law Summary

Public Law 2013, chapter 77 removes the provision of law that prohibits a holder of a motorcycle or moped instruction permit from operating a motorcycle or moped at night.

LD 620 An Act To Expand the Authorized Operation of All-terrain Vehicles on Roads ONTP

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

This bill allows the Secretary of State to issue a special registration permit allowing the limited operation of an ATV on a public way. The operation of the ATV on a public way is limited to travel from one property to another for the purpose of landscaping or property maintenance.

LD 621 An Act To Change the Tolling on the Maine Turnpike ONTP

| <u>Sponsor(s)</u> | <u>Committee Report</u> | <u>Amendments Adopted</u> |
|-------------------|-------------------------|---------------------------|
| PARRY THOMAS | ONTP | |

This bill directs the Maine Turnpike Authority to discontinue all toll facilities on the Maine Turnpike except for 6 toll collection facilities at the following locations: in the Town of York at mile 7.3; upon exit from the turnpike at the Interstate 295 interchange in the City of Portland at mile 44.3; upon exit from the turnpike at the Interstate 295 interchange in the Town of Falmouth at mile 51.6; in the Town of New Gloucester at mile 67; in the Town of West Gardiner at mile 100.2; and at the Interstate 295 interchange in the City of Gardiner at mile 103. The bill directs the Maine Turnpike Authority to adopt major substantive rules, which are subject to review by the Legislature, governing toll rates on the Maine Turnpike. The bill directs the Maine Turnpike Authority to adopt a toll schedule, but authorizes the authority to adjust toll rates if the authority is unable to meet certain obligations under current

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law.

LD 654 An Act Regarding the Maximum Rate of Speed on the Interstate Highway System

PUBLIC 107

| <u>Sponsor(s)</u> | <u>Committee Report</u> | <u>Amendments Adopted</u> |
|-----------------------|-------------------------|---------------------------|
| CHENETTE VALENTINO | OTP-AM | H-64 |

This bill authorizes the Commissioner of Transportation to raise the speed limit on the Interstate Highway System on Interstate 295 from the Town of Scarborough to the Town of West Gardiner to 75 miles per hour.

Committee Amendment "A" (H-64)

This amendment, which strikes and replaces the bill, authorizes the Commissioner of Transportation to raise the speed limit on the Interstate Highway System to 75 miles per hour.

Enacted Law Summary

Public Law 2013, chapter 107 authorizes the Commissioner of Transportation to raise the speed limit on the Interstate Highway System to 75 miles per hour.

LD 655 An Act To Amend or Repeal Outdated or Underutilized Laws Related to Transportation

PUBLIC 36

| <u>Sponsor(s)</u> | <u>Committee Report</u> | <u>Amendments Adopted</u> |
|----------------------|-------------------------|---------------------------|
| THERIAULT COLLINS | OTP | |

This bill repeals the law establishing the Capital Construction and Improvement Reserve Fund and sections relating to that fund, a requirement for retention of part of the contract price and settlement of claims by subcontractors, the transportation planning incentives funding program and the requirement that the Department of Transportation provide financial assistance through interest-free loans to certain water and sewer utilities affected by department highway and bridges projects.

The bill also repeals the law establishing the arterial and major collector highway capital projects program and several statutory sections authorizing and directing the Commissioner of Transportation to establish standards for and oversee the safety of certain railroad equipment, infrastructure and operations.

The bill reduces the membership of the freight transportation advisory council from 20 members to 9 members, consolidates and simplifies terms describing mandatory qualifications of the members and adds a membership category to include a person with experience in general manufacturing.

The bill removes the Waldo-Hancock Bridge, which no longer exists, from the list of historic bridges for which the State is financially liable, and it clarifies that all hearings, notices, reviews and orders under the Maine Aeronautics Act must comply with the Maine Administrative Procedure Act.

Enacted Law Summary

Public Law 2013, chapter 36 repeals the law establishing the Capital Construction and Improvement Reserve Fund and sections relating to that fund, a requirement for retention of part of the contract price and settlement of claims by subcontractors, the transportation planning incentives funding program and the requirement that the Department of Transportation provide financial assistance through interest-free loans to certain water and sewer utilities affected

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by department highway and bridges projects.

The law also repeals the law establishing the arterial and major collector highway capital projects program and several statutory sections authorizing and directing the Commissioner of Transportation to establish standards for and oversee the safety of certain railroad equipment, infrastructure and operations.

The law reduces the membership of the freight transportation advisory council from 20 members to 9 members, consolidates and simplifies terms describing mandatory qualifications of the members and adds a membership category to include a person with experience in general manufacturing.

The law removes the Waldo-Hancock Bridge, which no longer exists, from the list of historic bridges for which the State is financially liable, and it clarifies that all hearings, notices, reviews and orders under the Maine Aeronautics Act must comply with the Maine Administrative Procedure Act.

LD 712 Resolve, Directing the Department of Transportation To Place Signs on ONTP
Interstate 295 Directing Motorists to the Town of Harpswell

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

This resolve directs the Department of Transportation to place directional signs on the portions of Interstate 295 at the northbound and southbound Brunswick and Topsham exits of the highway to direct motorists to the Town of Harpswell, and to include on the signs the Harpswell communities of Orr's Island, Bailey Island and Cundy's Harbor.

LD 721 An Act To Provide Transparency in Public-private Partnerships for PUBLIC 208
Transportation Projects

| <u>Sponsor(s)</u> | <u>Committee Report</u> | <u>Amendments Adopted</u> |
|-------------------|-------------------------|---------------------------|
| MCCABE | OTP-AM | H-212 |

Under current law, materials used or submitted in connection with a proposal for a public-private partnership for a transportation project are confidential. This bill provides that those materials are public records.

Committee Amendment "A" (H-212)

This amendment, which strikes and replaces the bill, repeals the requirement that the Department of Transportation determine whether a public-private partnership proposal and corresponding transportation facility are in the best interest of the public. The amendment also provides that information obtained by the department relating to a public-private partnership transportation project proposal is a public record as defined in the Freedom of Access Act, except for information designated by the private entity as a trade secret or as information that, if disclosed, would result in a business or competitive disadvantage, loss of business, invasion of privacy or other significant detriment to the private entity to whom the information belongs or pertains.

Enacted Law Summary

Public Law 2013, chapter 208 repeals the requirement that the Department of Transportation determine whether a public-private partnership proposal and corresponding transportation facility are in the best interest of the public. The law provides that information obtained by the department relating to a public-private partnership transportation project proposal is a public record as defined in the Freedom of Access Act, except for information designated by the private entity as a trade secret or as information that, if disclosed, would result in a business or competitive

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disadvantage, loss of business, invasion of privacy or other significant detriment to the private entity to whom the information belongs or pertains.

LD 763 Resolve, Directing the Department of Transportation and the Maine Turnpike Authority To Conduct a Study Regarding the Need for a Passenger Transit Service Linking Municipalities from Portland North to Lewiston and Auburn **ONTP**

| <u>Sponsor(s)</u> | <u>Committee Report</u> | <u>Amendments Adopted</u> |
|---------------------|-------------------------|---------------------------|
| BOLDUC CLEVELAND | ONTP | |

This resolve directs the Department of Transportation and the Maine Turnpike Authority to conduct a study regarding the need for a passenger transit service linking municipalities from Portland north to Lewiston and Auburn.

LD 764 Resolve, Directing the Department of Transportation To Conduct a Traffic Study To Consider Whether To Open Water Street in Augusta to 2-way Traffic **ONTP**

| <u>Sponsor(s)</u> | <u>Committee Report</u> | <u>Amendments Adopted</u> |
|-------------------|-------------------------|---------------------------|
| WILSON KATZ | ONTP | |

This resolve directs the Department of Transportation, in consultation with the City of Augusta and affected residents, to conduct a traffic study to consider the feasibility of reconfiguring Water Street in the City of Augusta to accommodate 2-way traffic. The department is required to report with the final results of the study to the Joint Standing Committee on Transportation by February 28, 2014, and the committee is authorized to submit a bill.

LD 765 An Act To Amend the Law Regarding Motorcycle Registration Expiration Dates **ONTP**

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

This bill changes the registration period for motorcycles from a fixed registration period of April 1st to March 31st to a registration period that runs until the last day of the month one year from the month of issuance of the registration, thus returning the registration period for motorcycles to what it was prior to the enactment of Public Law 2011, chapter 167.

LD 779 An Act To Require a Public Notification and Hearing Process before Any Toll Increase by the Maine Turnpike Authority and Establish a Formal Grievance Process **ONTP**

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

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This bill requires that the Maine Turnpike Authority provide notice and hold public hearings in at least 3 municipalities no later than 60 days before voting on and instituting a toll increase and establishes a grievance process to receive complaints from the public.

LD 780 An Act To Reduce Conflicts of Interest in the Motor Vehicle Inspection Program ONTP

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

This bill increases the maximum amount charged for vehicle inspections by \$7.50.

The bill also directs the Chief of the State Police to amend rules governing the responsibilities of an inspection station licensee to prohibit an inspection station licensee from paying commissions to an inspection technician for additional sales resulting from a motor vehicle inspection.

The bill also requires the Chief of the State Police, prior to the adoption of a rule governing the motor vehicle inspection program, to weigh the additional costs to motorists against any public safety improvements from new inspection requirements and to not enact new rules unless the safety benefits outweigh the costs.

LD 817 Resolve, To Require That a Sign Directing Motorists To Gould Academy Be Placed on the Maine Turnpike ONTP

| <u>Sponsor(s)</u> | <u>Committee Report</u> | <u>Amendments Adopted</u> |
|---------------------|-------------------------|---------------------------|
| CROCKETT PATRICK | ONTP | |

This resolve directs the Maine Turnpike Authority to change the existing signs on the Maine Turnpike at the exits that direct motorists to Mt. Abram Ski Area and Sunday River Ski Resort to add directional information to Gould Academy in Bethel and to include mention of the Gould Academy Competition Program.

LD 818 Resolve, Directing the Department of Transportation and the Maine Turnpike Authority To Assess the Effects of Funding and Policy Decisions on the Maine Turnpike and I-295 between Portland and Augusta ACCEPTED MAJORITY (ONTP) REPORT

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

This resolve requires the Department of Transportation and the Maine Turnpike Authority to study the funding models, policy, interchange location decisions and long-term cost-of-living, land use and economic effects of tolls for the section of the Maine Turnpike from Exit 44 to Exit 113 and of I-295 between Portland and Augusta. The resolve requires the department and the authority to report the results of the study to the Joint Standing Committee on Transportation no later than February 28, 2014, and the committee has authority to submit a bill to the Second Regular Session of the 126th Legislature.

Committee Amendment "A" (H-134)

This amendment, which is the minority report of the committee, adds an appropriations and allocations section to

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the resolve.

LD 819 Resolve, To Equalize Tolls on Highways in the State

**ACCEPTED
MAJORITY
(ONTP) REPORT**

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

This resolve directs the Department of Transportation to make Interstate 295 a toll highway if an additional lane is added on any portion of Interstate 295.

Committee Amendment "A" (H-66)

This amendment, which is the minority report, incorporates a fiscal note.

LD 835 An Act To Improve Organ Donation Awareness

PUBLIC 127

| <u>Sponsor(s)</u> | <u>Committee Report</u> | <u>Amendments Adopted</u> |
|--------------------|-------------------------|---------------------------|
| ROCHELO LANGLEY | OTP-AM ONTP | H-103 |

This bill requires the Secretary of State to place a \$2 donation checkoff on driver's license application and renewal forms to fund the Maine Organ and Tissue Donation Fund created by this bill and administered by the Organ Donation Advisory Council to facilitate the education and registration of residents of the State in organ donation.

Committee Amendment "A" (H-103)

This amendment, which is the majority report, provides that the effective date of the bill is January 1, 2014.

Enacted Law Summary

Public Law 2013, chapter 127 requires the Secretary of State to place a \$2 donation checkoff on driver's license application and renewal forms to fund the Maine Organ and Tissue Donation Fund administered by the Organ Donation Advisory Council to facilitate the education and registration of residents of the State in organ donation.

The effective date of Public Law 2013, chapter 127 is January 1, 2014.

LD 870 Resolve, Regarding a Study by the Department of Transportation of the Most Efficient Options for Improving East-west Transit and Transportation

ONTP

| <u>Sponsor(s)</u> | <u>Committee Report</u> | <u>Amendments Adopted</u> |
|--------------------|-------------------------|---------------------------|
| MAZUREK KUMIEGA | ONTP | |

This resolve directs the Department of Transportation to study the existing highways and railroad assets that now serve as an east-west transport corridor to determine the most efficient options for improving east-west transit and transportation in the State.

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LD 875 Resolve, Directing the Department of Transportation and the Maine Turnpike Authority To Conduct a Study of Possible Connector Roads in Androscoggin and Franklin Counties **ONTP**

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

This resolve directs the Department of Transportation and the Maine Turnpike Authority to conduct a study of possible connector roads in Androscoggin County and Franklin County.

LD 917 An Act To Waive Tolls on the Maine Turnpike for Certain Disabled Maine Veterans **ONTP**

| <u>Sponsor(s)</u> | <u>Committee Report</u> | <u>Amendments Adopted</u> |
|---------------------|-------------------------|---------------------------|
| AYOTTE JACKSON T | ONTP | |

This bill requires the Maine Turnpike Authority to waive tolls on the Maine Turnpike for certain disabled Maine veterans.

LD 918 An Act To Remove the Provision That a Motorcycle Operator May Prove a Motorcycle Muffler Does Not Exceed Specific Noise Standards **PUBLIC 100**

| <u>Sponsor(s)</u> | <u>Committee Report</u> | <u>Amendments Adopted</u> |
|---------------------|-------------------------|---------------------------|
| GILBERT SAVIELLO | OTP | |

Current law prohibits the operation of a motor vehicle that is not equipped with an adequate muffler properly maintained to prevent excessive or unusual noise, which includes noise emitted by a motor vehicle that is noticeably louder than similar vehicles in the environment, or that is equipped with a muffler that has been modified to amplify or increase the noise emitted by the muffler above the original muffler. Motorcycles are exempt if the muffler or exhaust system does not emit noise in excess of 92 decibels measured according to a specific standard. The burden of proving that the motorcycle is in compliance is on the operator of the motorcycle.

This bill repeals that exemption for motorcycles.

Enacted Law Summary

Current law prohibits the operation of a motor vehicle that is not equipped with an adequate muffler properly maintained to prevent excessive or unusual noise, which includes noise emitted by a motor vehicle that is noticeably louder than similar vehicles in the environment, or that is equipped with a muffler that has been modified to amplify or increase the noise emitted by the muffler above the original muffler. Motorcycles are exempt if the muffler or exhaust system does not emit noise in excess of 92 decibels measured according to a specific standard. The burden of proving that the motorcycle is in compliance is on the operator of the motorcycle.

Public Law 2013, chapter 100 repeals that exemption for motorcycles.

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LD 919 An Act To Require an Operator To Provide Evidence of Liability Insurance or Financial Responsibility at the Scene of an Accident

PUBLIC 291

| <u>Sponsor(s)</u> | <u>Committee Report</u> | <u>Amendments Adopted</u> |
|-------------------|-------------------------|---------------------------|
| SHAW | OTP-AM | H-251 |

This bill decreases from \$1,000 to \$250 the minimum monetary amount of property damage at which a motor vehicle accident is defined as a reportable accident.

Committee Amendment "A" (H-251)

This amendment, which strikes and replaces the bill, requires the operator of a vehicle to provide evidence of liability insurance or financial responsibility if the person is involved in an accident not on a public way or a place where public traffic may reasonably be anticipated that results in personal injury or death, an accident that results in damage to an attended vehicle, an accident that results in damage to an unattended vehicle or an accident anywhere that results in property damage. The amendment also provides that a person commits a traffic infraction if that person fails to meet this requirement.

Enacted Law Summary

Public Law 2013, chapter 291 requires the operator of a vehicle to provide evidence of liability insurance or financial responsibility if the person is involved in an accident not on a public way or a place where public traffic may reasonably be anticipated that results in personal injury or death, an accident that results in damage to an attended vehicle, an accident that results in damage to an unattended vehicle or an accident anywhere that results in property damage. The law also provides that a person commits a traffic infraction if that person fails to meet this requirement.

LD 920 An Act To Prohibit Herbicide Spraying on Abandoned Railroad Lines

**ACCEPTED
MAJORITY
(ONTP) REPORT**

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

This bill prohibits a state agency from applying herbicides to state-owned railroad lines that are abandoned or discontinued unless the State has contracted with an operator to provide service over the line.

Committee Amendment "A" (H-113)

This amendment, which is the minority report of the committee, adds an appropriations and allocations section to the bill.

LD 937 An Act To Amend the Laws Governing Disability Parking Spaces

ONTP

| <u>Sponsor(s)</u> | <u>Committee Report</u> | <u>Amendments Adopted</u> |
|---------------------|-------------------------|---------------------------|
| AYOTTE JACKSON T | ONTP | |

Joint Standing Committee on Transportation

This bill makes van-accessible handicapped parking spaces with an access aisle that are labeled as van-accessible available only to vans or vehicles adapted for use of a van-accessible parking space. It also increases the penalty range for violations of parking in access aisles from \$200 to \$500 to \$300 to \$600.

LD 943 An Act To Amend Provisions of the Law Pertaining to Motor Vehicles

PUBLIC 112

| <u>Sponsor(s)</u> | <u>Committee Report</u> | <u>Amendments Adopted</u> |
|-------------------|-------------------------|---------------------------|
| MAZUREK PARRY | OTP-AM | S-40 |

This bill amends various provisions of the motor vehicle laws.

It provides that a person who violates the Maine Revised Statutes, Title 25, chapter 256 pertaining to the transport of hazardous materials, or a rule adopted pursuant to that chapter, commits a Class D crime, unless the violation is discovered during a routine compliance review. If the violation is discovered during a routine compliance review, the violation is a civil violation.

It amends the definition of "motor vehicle" to clarify that the term means a self-propelled vehicle not operated exclusively on railroad tracks.

It repeals the definition of "team" in Title 29-A, section 101.

It creates the traffic infraction of failing to properly register a motor vehicle as to its current actual use or motor vehicle type.

Committee Amendment "A" (S-40)

This amendment adds a the definition of "not properly registered" and includes an example relating to antique autos.

The amendment also provides that the Chief Judge of the District Court may approve for use an electronic Violation Summons and Complaint form.

Enacted Law Summary

Public Law 2013, chapter 112 amends various provisions of the motor vehicle laws.

It provides that a person who violates the Maine Revised Statutes, Title 25, chapter 256 pertaining to the transport of hazardous materials, or a rule adopted pursuant to that chapter, commits a Class D crime, unless the violation is discovered during a routine compliance review. If the violation is discovered during a routine compliance review, the violation is a civil violation.

It amends the definition of "motor vehicle" to clarify that the term means a self-propelled vehicle not operated exclusively on railroad tracks.

It repeals the definition of "team" in Title 29-A, section 101.

It creates the traffic infraction of failing to properly register a motor vehicle as to its current actual use or motor vehicle type.

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LD 945 An Act To Amend Provisions of Law Pertaining to Motor Vehicles

ONTP

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

This bill amends the laws related to motor vehicles in the following ways.

1. It provides that a person who violates certain laws pertaining to the transport of hazardous materials, or a rule adopted pursuant to those laws, commits a Class D crime, unless the violation is discovered during a compliance review. In the latter circumstance, the violation is a civil violation. Current law provides that all such violations are Class D crimes.
2. It amends the definitions of "motor vehicle" and "vehicle" to clarify that the terms mean a self-propelled vehicle not operated exclusively on railroad tracks. Currently, the definition could be read to mean other types of tracks, such as, for example, racing tracks.
3. It repeals the definition of "team" and removes a reference to this term.
4. It creates the traffic infraction of failing to properly register a vehicle.

LD 957 An Act To Require Legislative Approval for the Issuance of Bonds by the Maine Turnpike Authority

ONTP

| <u>Sponsor(s)</u> | <u>Committee Report</u> | <u>Amendments Adopted</u> |
|--------------------|-------------------------|---------------------------|
| WERTS CLEVELAND | ONTP | |

This bill requires that the Maine Turnpike Authority receive legislative approval prior to its issuance of bonds.

LD 983 An Act To Make Allocations from Maine Turnpike Authority Funds for the Maine Turnpike Authority for the Calendar Year Ending December 31, 2014

P & S 9

| <u>Sponsor(s)</u> | <u>Committee Report</u> | <u>Amendments Adopted</u> |
|-------------------|-------------------------|---------------------------|
| | OTP-AM | S-39 |

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, 2014 in accordance with the requirements of the Maine Revised Statutes, Title 23, section 1961, subsection 6.

Committee Amendment "A" (S-39)

This amendment incorporates a fiscal note.

Enacted Law Summary

Private and Special Law 2013, chapter 9 makes allocations from gross revenues of the Maine Turnpike Authority

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for the payment of the authority's operating expenses for the calendar year ending December 31, 2014 in accordance with the requirements of the Maine Revised Statutes, Title 23, section 1961, subsection 6.

**LD 985 Resolve, To Repeal the Requirement That the Department of
Transportation Facilitate a Feasibility Study of an East-west Highway
and Provide for Public Access to Certain Documents**

RESOLVE 41

| <u>Sponsor(s)</u> | <u>Committee Report</u> | <u>Amendments Adopted</u> |
|-------------------|-------------------------|---------------------------|
| MAZUREK | OTP-AM | S-78 |

This resolve repeals Resolve 2011, chapter 147, "Resolve, To Require the Department of Transportation To Facilitate and Oversee a Study of the Feasibility of an East-west Highway." This resolve specifies that any documents created in connection with Resolve 2011, chapter 147 are public documents and are not confidential. This resolve also prohibits the department from seeking reimbursement for any study conducted pursuant to Resolve 2011, chapter 147.

Committee Amendment "A" (S-78)

This amendment incorporates a fiscal note.

Enacted Law Summary

Resolve 2013, chapter 41 repeals Resolve 2011, chapter 147, "Resolve, To Require the Department of Transportation To Facilitate and Oversee a Study of the Feasibility of an East-west Highway." This law specifies that any documents created in connection with Resolve 2011, chapter 147 are public documents and are not confidential. It also prohibits the department from seeking reimbursement for any study conducted pursuant to Resolve 2011, chapter 147.

**LD 999 Resolve, Directing the Department of Transportation To Seek Funding
To Complete a Design and Engineering Assessment for the Extension of
Passenger Rail Service from Portland North on the State-owned St.
Lawrence and Atlantic Railway Corridor**

RESOLVE 31

| <u>Sponsor(s)</u> | <u>Committee Report</u> | <u>Amendments Adopted</u> |
|-------------------|-------------------------|---------------------------|
| CRAVEN RUSSELL | OTP-AM ONTP | S-48 |

This resolve directs the Department of Transportation to fund or seek funding to provide engineering and design work necessary to qualify the state-owned St. Lawrence and Atlantic railway corridor, from Portland to the Auburn city line, for federal capital investment funding consistent with the passenger rail service investments evaluated and proposed in the Department of Transportation's 2011 "Portland North Alternative Modes Transportation Project" study. The department shall report back to the Legislature with information regarding funding on or before December 15, 2013.

Committee Amendment "A" (S-48)

This amendment, which is the majority report, strikes the requirement that the Department of Transportation fund the engineering and design work necessary to qualify the state-owned St. Lawrence and Atlantic railway corridor, from Portland to the Auburn city line, for federal capital investment funding consistent with the passenger rail service investments evaluated and proposed in the Department of Transportation's 2011 "Portland North Alternative Modes Transportation Project" study. The amendment also strikes the requirement that the department report to the Legislature with information regarding funding on or before December 15, 2013.

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LD 1208 Resolve, To Establish the Commuter and Passenger Rail Advisory Task Force **ONTP**

| <u>Sponsor(s)</u> | <u>Committee Report</u> | <u>Amendments Adopted</u> |
|---------------------|-------------------------|---------------------------|
| VEROW YOUNGBLOOD | ONTP | |

This resolve directs the Department of Transportation to establish and convene the Commuter and Passenger Rail Advisory Task Force to evaluate and prioritize investments in commuter and passenger rail service between communities in this State in order to expedite development of efficient commuter rail service as appropriate in the major economic and population centers of this State to reduce costs to the State, its municipalities and its citizens of travel to and from work, business activities and entertainment and recreation activities.

The task force must develop a Maine commuter and passenger rail plan, which must include investment priorities for the establishment of commuter and passenger rail service between communities in this State. The plan must be based on existing studies and analyses and explore the markets and infrastructure and the potential to remove automobile traffic from excessively used roadways. The plan must also provide for the reduction of highway construction and maintenance costs and identify ways to limit the need for parking facilities and to reduce road congestion and lessen transportation costs for citizens living in cities in this State.

The Department of Transportation must report the findings and the plan of the task force to the Joint Standing Committee on Transportation no later than February 28, 2014. The Joint Standing Committee on Transportation may submit a bill to the Second Regular Session of the 126th Legislature on the subject matter of the report.

LD 1209 An Act To Prohibit the Use of Public Resources for a Privately Owned East-west Highway **ONTP**

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

This bill prohibits the use of state funds or state-owned property for the construction or development of a privately owned east-west highway, including the preparation or study for the development of a privately owned east-west highway.

This bill also repeals "Resolve, To Require the Department of Transportation To Facilitate and Oversee a Study of the Feasibility of an East-west Highway," retroactively to the effective date of that resolve.

LD 1257 An Act To Create Corridor Transit Districts **ONTP**

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

This bill, which is a concept draft, proposes to provide municipalities with the ability to form districts for the purpose of coordinating transit services, such as bike paths, pedestrian paths, bus routes and rail routes, in individual municipalities and in coordination with other municipalities along defined transportation corridors.

Joint Standing Committee on Transportation

LD 1268 An Act To Update Driver Education Requirements

ONTP

Sponsor(s)

PEOPLES

Committee Report

ONTP

Amendments Adopted

This bill does the following.

1. Current law provides that a person who is 15 years of age or older may apply for a driving instruction permit, except that a person who has not attained 18 years of age must complete a course in driver education before applying for an instruction permit. The bill clarifies that an instruction permit may be issued only by the Secretary of State and not by a driver education school or instructor.
2. Under current law, the permit requires the permittee to be accompanied by a licensed operator who is at least 20 years of age. The bill requires that the accompanying driver be at least 25 years of age.
3. The bill provides that a person under 21 years of age may not apply for a license unless the person has completed 70 hours of driving, including 10 hours of night driving, while accompanied by a parent, guardian or licensed driver at least 25 years of age.
4. The bill provides that an intermediate license holder may not operate a motor vehicle between the hours of 9 p.m. and 5 a.m.
5. The bill provides that classroom instruction provided by a driver education school licensed in this State may be taught interactively through the use of communications technology, including the Internet, so that persons taking the classroom portion of the driver education requirement need not be physically present in a classroom. The effective date for this change in law is July 1, 2014. The bill directs the Secretary of State, before July 1, 2014, to amend current rules governing the licensure of driver education schools to permit the use of communications technology for driver education instruction.
6. The bill requires a driver education school to provide a performance bond to guarantee its performance and discharge of duties.
7. The bill changes a violation of the prohibition against engaging in text messaging while driving from a traffic infraction to a Class E crime, formerly known as a misdemeanor.
8. The bill directs the Secretary of State to amend current rules governing driver education instructor licensing requirements before January 1, 2014 to clarify that a criminal background check must be conducted for a driver education instructor before a license is issued and not when a license is renewed and that the completion of a basic first aid course is required only for issuance of a license and not upon renewal.

LD 1269 An Act To Require an Independent Analysis of the Impact of and a Review Process for an East-west Highway prior to Development

ONTP

Sponsor(s)

CHAPMAN

Committee Report

ONTP

Amendments Adopted

This bill requires a comprehensive independent analysis to be conducted prior to the development of a proposed private or public-private partnership project for a highway or utility corridor that traverses the State in an east-west

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manner. The cost of the analysis must be paid entirely by the private entity. The bill specifically prohibits any state department or agency from spending any funds for the facilitation and oversight of a comprehensive independent analysis of such a highway or utility corridor.

This bill requires that the plans for the proposed project be made available to the public for review. This bill also imposes public notice and hearing requirements and provides intervenor status to municipalities through which the proposed project may pass and to landowners whose land abuts the project similar to the public and local participation requirements for solid waste facility siting.

This bill also repeals Resolve 2011, chapter 147, "Resolve, To Require the Department of Transportation To Facilitate and Oversee a Study of the Feasibility of an East-west Highway," retroactive to the effective date of that resolve.

LD 1296 An Act To Require the Secretary of State To Suspend a Person's License in Certain Instances Regardless of whether an Accident Report Has Been Filed PUBLIC 123

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

This bill requires the Secretary of State to suspend the license of a motorist who is subject to an outstanding judgment for an unreported accident on a public way or in a place where public traffic may reasonably be anticipated that resulted in bodily injury or death or property damage of at least \$1,000.

Enacted Law Summary

Public Law 2013, chapter 123 requires the Secretary of State to suspend the license of a motorist who is subject to an outstanding judgment for an unreported accident on a public way or in a place where public traffic may reasonably be anticipated that resulted in bodily injury or death or property damage of at least \$1,000.

LD 1304 Resolve, Establishing the East-west Highway Study Commission To Oversee Further Study or Planning for an East-west Highway ONTP

| <u>Sponsor(s)</u> | <u>Committee Report</u> | <u>Amendments Adopted</u> |
|---------------------|-------------------------|---------------------------|
| MCCABE JACKSON T | ONTP | |

This resolve establishes the East-west Highway Study Commission to oversee further study of an east-west highway.

LD 1327 An Act To Provide Greater Options for Transportation of Public School Students for Cocurricular Activities CARRIED OVER

| <u>Sponsor(s)</u> | <u>Committee Report</u> | <u>Amendments Adopted</u> |
|-----------------------|-------------------------|---------------------------|
| MASTRACCIO LANGLEY | | |

This bill provides that a motor vehicle with a carrying capacity of 10 to 15 passengers operated by a driver with an appropriate driver's license endorsement for a school bus designed to carry 15 passengers or fewer including the driver may be used for school activities other than conveying children to and from home and school.

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This bill was carried over to any special or regular session of the 126th Legislature by joint order, H.P. 1145, as amended by H-B (H-580) and H-C (H-582).

LD 1356 An Act To Improve the Statutes Governing Road Associations

PUBLIC 198

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

This bill amends the provisions of law regarding the formation, scope and function of road associations formed for the purpose of repairing and maintaining a private road, a private way or bridge to:

1. Expand the description of what is includable as maintenance;
2. Require that notice to members of a road association must include the amount of assessment;
3. Specify what constitutes a majority vote of the road association;
4. Allow the road association to purchase liability insurance for the officers, directors and owners and to allow this cost and the costs of administration to be included in the assessment;
5. Require that the assessment must be based on a formula specified in the bylaws of the road association or approved by the owners;
6. Specify that the cap on the assessment of 1% of an owner's property valuation means the property valuation as determined by the municipality in which the property is located;
7. Remove the requirement that the assessment be collected in the same manner as town taxes and the imposition of a duty, and the corresponding liability for neglect of duty, on the commissioner or board of the road association for the collection of the assessment; and
8. Specify that the road association's commissioner or board may bring a civil action to enforce an assessment and specify the procedures and requirements for filing such an action.

Enacted Law Summary

Public Law 2013, chapter 198 amends the provisions of law regarding the formation, scope and function of road associations formed for the purpose of repairing and maintaining a private road, a private way or bridge to:

1. Expand the description of what is includable as maintenance;
2. Require that notice to members of a road association must include the amount of assessment;
3. Specify what constitutes a majority vote of the road association;
4. Allow the road association to purchase liability insurance for the officers, directors and owners and to allow this cost and the costs of administration to be included in the assessment;
5. Require that the assessment must be based on a formula specified in the bylaws of the road association or approved by the owners;

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5. Removes a confusing cross-reference in a provision regarding the exemption of antique automobiles from inspection; and
6. Corrects a cross-reference in a provision regarding the eligibility of certain habitual offenders to obtain work-restricted licenses.

Part B of the bill:

1. Clarifies that the Secretary of State is allowed to receive law enforcement intelligence and investigative information without redaction to assist in the determination and issuance of driver's license suspensions;
2. Adopts federal definitions from the federal Commercial Motor Vehicle Safety Act of 1986 pertaining to commercial motor vehicle operation;
3. Adds foster relationships to the definition of an immediate family member;
4. Replaces the term "instruction permit" with the term "learner's permit" throughout the statutes to be consistent with federal definitions in the Commercial Motor Vehicle Safety Act of 1986;
5. Adopts language from federal regulations to clarify and define the provisions related to issuance of commercial learner's permits;
6. Increases fees for all driving exams by \$2;
7. Amends the provision of law exempting a person from paying a fee for a driver examination when the person is of an advanced age or has a physical disability to remove the language regarding age and disability and instead allow fees to be waived when the Secretary of State believes that a person is incompetent or otherwise not qualified to be licensed and requires the person to take an examination;
8. Amends the provision of law that provides requirements for the Secretary of State's waiver of the examination for the issuance of a motorcycle license;
9. Amends the definition of "driver education" in the provision governing driver education programs;
10. Repeals the provision that pertains to advanced driver education;
11. Adds nondriver identification cards to the list of documents authorized for issuance as duplicates if the original is lost and increases the fees for a duplicate document by \$2;
12. Changes the expiration term for a commercial driver's license for persons under 65 years of age from 5 years to 4 years;
13. Increases the fee for a nondriver identification card by \$2 and increases the reinstatement fee for suspensions for OUI and failure to submit to tests from \$50 to \$100;
14. Enacts a new provision of law establishing a prorated fee structure for driver's licenses issued to lawfully present noncitizens;
15. Makes technical amendments to law regarding the expiration of nondriver identification cards to make it consistent with the law regarding the expiration of a driver's license, changes the term "accident" to "reportable accident" in the law regarding unsatisfied judgments and the Secretary of State's authority in carrying out financial responsibility requirements and clarifies that leaving the scene of an accident involving injury or death or property

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damage is a determinant for habitual offender status;

16. Enacts the definition of "operate" for the provision of law pertaining to text messaging while operating a motor vehicle; and

17. Amends the adult provisional license law to provide an opportunity for a hearing to those persons convicted or adjudicated of a moving motor vehicle violation under that law.

Part C of the bill:

1. Repeals the Maine Revised Statutes, Title 29-A, section 2604, since the provisions of section 2604 are duplicative of Title 29-A, section 103; and

2. Amends cross-references to implement this change.

Committee Amendment "A" (S-133)

This amendment does the following.

1. It removes the provision of the bill that increases the fee for the Purple Heart motorcycle vanity plate from \$15 to \$25.

2. It removes the provisions of the bill that allow the Secretary of State to receive law enforcement intelligence and investigative information without redaction to assist in the determination and issuance of driver's license suspensions. These provisions are addressed in another bill referred to the Joint Standing Committee on Criminal Justice and Public Safety.

3. It corrects repeal dates in the bill.

4. The amendment clarifies that a learner's permit may be issued only by the Secretary of State and not by a driver education school or instructor.

5. It provides that a person under 21 years of age may not apply for a license unless the person has completed 70 hours of driving, including 10 hours of night driving, while accompanied by a parent, guardian or licensed driver at least 20 years of age.

6. It removes the provisions of the bill that increase fees for driving exams by \$2.

7. It removes the provision in the bill that increases the fee for a duplicate document by \$2.

8. It alters the provision in the bill that changes the expiration term for a commercial driver's license for a person under 65 years of age from 5 years to 4 years, to retain the current 5-year term.

9. It removes the provisions that increase the fee for a nondriver identification card by \$2 and increase the reinstatement fee for suspensions for OUI and failure to submit to tests from \$50 to \$100.

10. It removes the provision that changes the term "accident" to "reportable accident" in law regarding unsatisfied judgments and the Secretary of State's authority in carrying out financial responsibility requirements. This provision is addressed in another bill.

11. It requires a driver education school to provide a surety bond to guarantee its discharge of duties.

Senate Amendment "A" To Committee Amendment "A" (S-323)

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This amendment removes the provision that provides for the proration of the fee for a driver's license issued to a lawfully present noncitizen.

Enacted Law Summary

Public Law 2013, chapter 381 does the following.

1. It removes the provision of law that allows the Secretary of State to issue vanity plates for radio plates as these plates now qualify as vanity plates.
2. It changes the headnote for the provision governing antique vehicle plates to "hobbyist registration plates."
3. It removes the one-mile restriction on dealer secondary locations.
4. It removes a confusing cross-reference in a provision regarding the exemption of antique automobiles from inspection.
5. It corrects a cross-reference in a provision regarding the eligibility of certain habitual offenders to obtain work-restricted licenses.
6. It adopts federal definitions from the federal Commercial Motor Vehicle Safety Act of 1986 pertaining to commercial motor vehicle operation.
7. It adds foster relationships to the definition of an immediate family member:
8. It replaces the term "instruction permit" with the term "learner's permit" throughout the statutes to be consistent with federal definitions in the Commercial Motor Vehicle Safety Act of 1986.
9. It adopts language from federal regulations to clarify and define the provisions related to issuance of commercial learner's permits.
10. It amends the provision of law exempting a person from paying a fee for a driver examination when the person is of an advanced age or has a physical disability to remove the language regarding age and disability and instead allow fees to be waived when the Secretary of State believes that a person is incompetent or otherwise not qualified to be licensed and requires the person to take an examination.
11. It amends the provision of law that provides requirements for the Secretary of State's waiver of the examination for the issuance of a motorcycle license.
12. It amends the definition of "driver education" in the provision governing driver education programs.
13. It repeals the provision that pertains to advanced driver education.
14. It adds nondriver identification cards to the list of documents authorized for issuance as duplicates if the original is lost.
15. It enacts the definition of "operate" for the provision of law pertaining to text messaging while operating a motor vehicle.
16. It amends the adult provisional license law to provide an opportunity for a hearing to those persons convicted or adjudicated of a moving motor vehicle violation under that law.
17. It clarifies that leaving the scene of an accident involving injury or death or property damage is a determinant

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for habitual offender status.

18. It repeals the Maine Revised Statutes, Title 29-A, section 2604, since the provisions of section 2604 are duplicative of Title 29-A, section 103; and

19. It clarifies that a learner's permit may be issued only by the Secretary of State and not by a driver education school or instructor.

20. It provides that a person under 21 years of age may not apply for a license unless the person has completed 70 hours of driving, including 10 hours of night driving, while accompanied by a parent, guardian or licensed driver at least 20 years of age.

21. It requires a driver education school to provide a surety bond to guarantee its discharge of duties.

LD 1460 An Act To Update and Clarify the Laws Governing the Operation of Bicycles on Public Roadways

PUBLIC 241

| <u>Sponsor(s)</u> | <u>Committee Report</u> | <u>Amendments Adopted</u> |
|-----------------------|-------------------------|---------------------------|
| JORGENSEN GRATWICK | OTP-AM | H-221 |

This bill amends and clarifies the laws regarding bicycles in the Maine Revised Statutes, Title 29-A in the following ways.

1. It amends the definition of "bicycle" to mean a vehicle propelled exclusively by human power, designed to be operated on the ground on 2 or more wheels and having a seat or saddle. Current law refers to a bicycle as a "device."

2. It adds definitions of "roadway," "shoulder" and "travel lane" and amends the definition of "traffic" to include bicycles.

3. It prohibits the operator of a motor vehicle from making a right turn near a bicyclist or roller skier unless the turn can be made in a manner that does not interfere with the safe and legal operation of the bicycle or roller skis. Current law prohibits a vehicle operator from making a right turn unless it can be made with reasonable safety. The bill also establishes a rebuttable presumption of negligence on the part of the operator of a motor vehicle making or attempting to make the right turn if that action is immediately followed by a collision or accident involving a bicyclist or roller skier.

4. Current law requires a bicyclist or roller skier to operate as far to the right as practicable except when it is unsafe to do so or, among other conditions, when a lane of substandard width makes it unsafe to continue along the right portion of the way. This bill provides that a bicyclist or roller skier does not have to keep as far to the right as practicable if proceeding in a travel lane that is too narrow for a bicyclist or roller skier and a vehicle to travel safely side by side in the lane, based on an operational space by the bicyclist or roller skier of 4 feet and a distance between the bicyclist or roller skier and the vehicle of at least 3 feet.

5. Current law allows a bicyclist or roller skier to operate on a paved shoulder of the road. This bill specifies that this provision does not require the bicyclist or roller skier to operate on the paved shoulder. This bill allows a bicyclist or roller skier to use the entire width of the shoulder if bicycling or roller skiing there.

6. Current law requires the operator of a motor vehicle, when passing a bicyclist or roller skier, to leave a distance of at least 3 feet between the motor vehicle and the bicyclist or roller skier. This bill clarifies the conditions under which the pass may take place and provides that a collision between a motor vehicle and a bicyclist or roller skier

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that results in bodily injury to the bicyclist or roller skier creates a rebuttable presumption that a violation of the law by the operator of the motor vehicle occurred.

7. Current law allows a bicyclist or roller skier to pass a vehicle on the right at the bicyclist's or roller skier's own risk. This bill strikes that provision of law, clarifies when a bicyclist or roller skier may pass on the right and allows the bicyclist or roller skier to assume that the operators of vehicles on the roadway will operate their vehicles in accordance with the law and in a reasonably prudent manner.

8. It requires a bicycle operated in the nighttime to be equipped with a red rear light that is visible at least 200 feet to the rear of the bicycle and it requires any auxiliary lights attached to the bicyclist to meet the requirements for lights attached to the bicycle.

9. It repeals the definition of "bicycle" in the Bicycle and Roller Skis Safety Education Act. This definition is made redundant by the change to the definition of "bicycle" for Title 29-A.

10. It amends the definition of "public roadway" for purposes of the Bicycle and Roller Skis Safety Education Act to remove the definition's emphasis on motor vehicle traffic.

11. It changes the headnote of the Maine Revised Statutes, Title 29-A to "Vehicles and Traffic" to reflect the application of the Title to more than motor vehicles.

Committee Amendment "A" (H-221)

This amendment does the following.

1. It retains the provision in the bill that amends the definition of "traffic" to include bicycles.
2. It retains the provision in the bill that prohibits the operator of a motor vehicle from making a right turn near a bicyclist or roller skier unless the turn can be made in a manner that does not interfere with the safe and legal operation of the bicycle or roller skis. It strikes the provision in the bill that establishes a rebuttable presumption of negligence on the part of the operator of a motor vehicle making or attempting to make the right turn if that action is immediately followed by a collision or accident involving a bicyclist or roller skier.
3. It strikes all other provisions in the bill.
4. It includes bicycles in the "traffic" to which an operator intending to turn to the left must yield the right-of-way when the traffic is approaching from the opposite direction and is so close as to constitute an immediate hazard.
5. In the provision of law that requires a person operating a bicycle or roller skis upon a roadway to operate on the right portion of the way as far as practicable except when it is unsafe to do so, it specifies that the determination of safety is made by the bicyclist or roller skier.
6. Current law requires the operator of a motor vehicle, when passing a bicyclist or roller skier, to leave a distance of at least 3 feet between the motor vehicle and the bicyclist or roller skier. The amendment provides that the collision of a motor vehicle with a person operating a bicycle or roller skis is prima facie evidence of a violation of the 3-foot distance requirement.

Enacted Law Summary

Public Law 2013, chapter 241 does the following.

1. It amends the definition of "traffic" to include bicycles.
2. It prohibits the operator of a motor vehicle from making a right turn near a bicyclist or roller skier unless the turn

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can be made in a manner that does not interfere with the safe and legal operation of the bicycle or roller skis.

3. It includes bicycles in the "traffic" to which an operator intending to turn to the left must yield the right-of-way when the traffic is approaching from the opposite direction and is so close as to constitute an immediate hazard.

4. In the provision of law that requires a person operating a bicycle or roller skis upon a roadway to operate on the right portion of the way as far as practicable except when it is unsafe to do so, it specifies that the determination of safety is made by the bicyclist or roller skier.

5. Current law requires the operator of a motor vehicle, when passing a bicyclist or roller skier, to leave a distance of at least 3 feet between the motor vehicle and the bicyclist or roller skier. The law provides that the collision of a motor vehicle with a person operating a bicycle or roller skis is prima facie evidence of a violation of the 3-foot distance requirement.

LD 1464 An Act To Streamline the Laws Related to Transportation

PUBLIC 220

| <u>Sponsor(s)</u> | <u>Committee Report</u> | <u>Amendments Adopted</u> |
|----------------------|-------------------------|---------------------------|
| THERIAULT COLLINS | OTP-AM | H-220 |

This bill makes the following changes to the laws related to transportation.

1. It affords the Department of Transportation more flexibility to grant exceptions to the prohibition against allowing access to controlled access highways to allow access when the Commissioner of Transportation determines that such access will not adversely affect public safety and will not have a significant negative impact on the mobility of through-travelers.
2. It amends transit-related provisions related to public transportation administration.
3. It directs the Department of Transportation to work with the Office of Policy and Legal Analysis and the Revisor of Statutes to examine the organization and structure of, and the language contained in, the Maine Revised Statutes, Title 23 and develop recommendations regarding reorganizing or updating that Title or a portion or portions of that Title. The Department of Transportation is directed to submit those recommendations to the Joint Standing Committee on Transportation no later than December 4, 2013.

Committee Amendment "A" (H-220)

This amendment strikes those sections of the bill that amend transit-related provisions related to public transportation administration.

Enacted Law Summary

Public Law 2013, chapter 220 makes the following changes to the laws related to transportation.

1. It affords the Department of Transportation more flexibility to grant exceptions to the prohibition against allowing access to controlled access highways to allow access when the Commissioner of Transportation determines that such access will not adversely affect public safety and will not have a significant negative impact on the mobility of through-travelers.
2. It directs the Department of Transportation to work with the Office of Policy and Legal Analysis and the Revisor of Statutes to examine the organization and structure of, and the language contained in, the Maine Revised Statutes, Title 23 and develop recommendations regarding reorganizing or updating that Title or a portion or portions of that Title. The Department of Transportation is directed to submit those recommendations to the Joint Standing

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Resolve 2013, chapter 64 authorizes the Commissioner of Transportation to establish two demonstration projects in Aroostook County that allow certain commercial vehicles carrying logs and wood biomass at gross vehicle weights exceeding those authorized by law to travel less than two miles from a private logging road system to proposed wood-processing facilities in the towns of Ashland and Masardis.

The demonstration projects require the chief engineer of the Department of Transportation to find that the trucks can be operated safely and the infrastructure can be improved and maintained to withstand the increased weight of the trucks. The demonstration projects also require that the municipal officers of the affected towns support the project and at least 50% of the cost of infrastructure improvements be provided by the relevant mill owner, other private entities or a public source other than the Department of Transportation. The commissioner is required to report on the demonstration projects to the joint standing committee of the Legislature having jurisdiction over transportation matters upon request of the committee.

Resolve 2013, chapter 64 was finally passed as an emergency measure effective June 22, 2013.

LD 1480 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, 2014 and June 30, 2015

**PUBLIC 354
EMERGENCY**

| <u>Sponsor(s)</u> | <u>Committee Report</u> | <u>Amendments Adopted</u> |
|----------------------|-------------------------|---------------------------|
| THERIAULT COLLINS | OTP-AM | H-536 |

PART A

This Part makes allocations of funds for the fiscal years ending June 30, 2014 and June 30, 2015.

PART B

This Part provides funding for approved reclassifications and range changes.

PART C

This Part repeals the transit bonus payment program administered by the Department of Transportation.

PART D

This Part changes the useful life requirement related to projects receiving grants or loans from the TransCap Trust Fund from 10 years to 5 years.

PART E

This Part continues for 2 years the freeze on merit increases and denies the award of longevity pay to employees in the various departments and agencies within the executive branch, including the constitutional officers and the Department of Audit, during the 2014-2015 biennium. This Part also requires the State Budget Officer to calculate the amount of savings in Part A that applies against each Highway Fund account for all departments and agencies from savings associated with eliminating merit pay and longevity pay and to transfer the amounts by financial order upon the approval of the Governor.

PART F

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This Part changes the allocation of the funding for the Department of Public Safety, Bureau of State Police. Under current law, 49% of that funding must be allocated from the Highway Fund and 51% must be appropriated from the General Fund. This Part instead provides that 33% must be allocated from the Highway Fund and 67% must be appropriated from the General Fund.

PART G

This Part requires the State Controller to transfer \$5,210,691 in fiscal year 2013-14 and \$5,334,017 in fiscal year 2014-15 from the Highway Fund unallocated surplus to the TransCap Trust Fund.

PART H

This Part does the following.

1. It caps the State's contribution for active and retired state employee health insurance at fiscal year 2010-11 levels and limits the premium for years beginning after June 30, 2015 to the total premium for the previous year adjusted by the annual change in the Consumer Price Index plus 3%.
2. It caps the State's total cost for retired teachers' health insurance premiums at fiscal year 2010-11 levels and limits the premium for years beginning after June 30, 2015 to the total premium for the previous year adjusted by the annual change in the Consumer Price Index plus 3%.
3. It requires providers of the health insurance benefit plans for retired teachers to submit their premium costs, plan for ensuring adherence to the statutory change and any related data as requested by the Executive Director of Health Insurance within the Department of Administrative and Financial Services.
4. It delays the date that the Legislature must begin to appropriate funds to retire the unfunded liability for retiree health benefits for eligible participants in the teacher plan until July 1, 2015.
5. It requires the State Budget Officer to calculate the savings in Part A of this bill that apply against each Highway Fund account as a result of the changes and to distribute those amounts by financial order upon the recommendation of the Governor as adjustments to appropriations and allocations.

PART I

This Part does the following.

1. It requires an excise tax paid to the Secretary of State by a nonresident to be deposited in the Highway Fund rather than the General Fund.
2. It requires an excise tax collected on certain truck tractors to be deposited to the Highway Fund.

PART J

This Part recognizes an increase in the attrition rate from 5.0% to 6.0% for the 2014-2015 biennium. The 6.0% rate is currently built into the baseline budget for personnel.

PART K

This Part authorizes the Department of Administrative and Financial Services to enter into financing arrangements in fiscal years 2013-14 and 2014-15 for the acquisition of motor vehicles for the Department of Public Safety,

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Bureau of State Police.

PART L

This Part authorizes the State Controller to transfer amounts exceeding \$100,000 from the unallocated balance in the Highway Fund, after all commitments, to the Highway and Bridge Capital, Highway and Bridge Light Capital and Maintenance and Operations programs within the Department of Transportation for capital needs.

PART M

This Part allows the transfer of Personal Services savings to the Highway and Bridge Capital, Highway and Bridge Light Capital and Maintenance and Operations programs within the Department of Transportation for capital or all other needs.

Committee Amendment "A" (H-536)

PART A

This Part makes allocations of funds for the fiscal years ending June 30, 2014 and June 30, 2015.

PART B

This Part provides funding for approved reclassifications and range changes.

PART C

This Part repeals the transit bonus payment program administered by the Department of Transportation and delays that repeal until July 1, 2014.

PART D

This Part allows the use of nonbond funds from the TransCap Trust Fund for capital projects with an estimated life of five years for the 2014-2015 biennium.

PART E

This Part limits funding for merit increases to fiscal year 2013-14 only. It also eliminates longevity payments to individuals not eligible on June 30, 2013 and maintains the longevity payment level for those eligible on June 30, 2013 at the rate in effect on June 30, 2013. It also extends the limitation on longevity payments to the legislative branch and the judicial branch. It adds an appropriations and allocations section.

PART F

This Part requires that the funding for the Department of Public Safety, Bureau of State Police be provided 35% from the Highway Fund and 65% from the General Fund beginning in fiscal year 2013-14. This Part also adds a paragraph stating that a fact-based determination has been made that this funding allocation represents an accurate assessment of the amount of the time spent by the Department of Public Safety, Bureau of State Police enforcing state traffic laws.

This Part requires the Department of Public Safety, Bureau of State Police to track Highway Fund eligible activities and starting on March 1, 2018 report every four years on the average annual percentage of Highway Fund eligible activities for the previous four years.

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PART G

This Part requires the State Controller to transfer \$5,210,691 in fiscal year 2013-14 and \$5,334,017 in fiscal year 2014-15 from the Highway Fund unallocated surplus to the TransCap Trust Fund.

PART H

This Part requires the State Budget Officer to calculate the savings in this Part that apply against each Highway Fund account as a result of the changes and to distribute those amounts by financial order upon the recommendation of the Governor as adjustments to appropriations and allocations.

PART I

This Part establishes the program amount of Local Road Assistance at 9.0% of the Highway Fund budget, effective July 1, 2014.

This Part also repeals a dated "hold harmless" provision that set payments to some municipalities at fiscal year 1998-99 levels, thus making them out of proportion to road mileage.

This Part also streamlines administration and increases funding certainty by reducing the number of local road assistance payments to municipalities to one per year instead of four quarterly payments.

PART J

This Part recognizes an increase in the attrition rate to 6.0% for the 2014-2015 biennium for judicial branch and executive branch departments and agencies.

PART K

This Part authorizes the Department of Administrative and Financial Services to enter into financing arrangements in fiscal years 2013-14 and 2014-15 for the acquisition of motor vehicles for the Department of Public Safety, Bureau of State Police.

PART L

This Part authorizes the State Controller to transfer amounts exceeding \$100,000 from the unallocated balance in the Highway Fund, after all commitments, to the Highway and Bridge Capital, Highway and Bridge Light Capital and Maintenance and Operations programs within the Department of Transportation for capital needs.

PART M

This Part allows the transfer of Personal Services savings to the Highway and Bridge Capital, Highway and Bridge Light Capital and Maintenance and Operations programs within the Department of Transportation for capital or All Other needs.

PART N

This Part provides for a \$50,000,000 GARVEE bond for the Sarah Mildred Long Bridge. It also amends Public Law 2011, chapter 610 to provide that financial arrangements with New Hampshire must provide that the financial liability of the State not be substantially greater than the March 1, 2011 agreement. It also provides that the Department of Transportation will submit proposed legislation to reestablish the Maine-New Hampshire Interstate Bridge Authority. The Joint Standing Committee on Transportation may submit a bill to the Second Regular

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Session of the 126th Legislature.

PART O

This Part requires the Department of Transportation in conjunction with the Department of Environmental Protection to develop a plan to reduce the cost of the state cost-share program for salt and sand storage facilities under the Maine Revised Statutes, Title 23, section 1851 and to end the program within a certain number of years. The Department of Transportation is required to submit the plan, with recommended legislation, to the Joint Standing Committee on Transportation no later than January 17, 2014. The committee has authority to submit a bill to the Second Regular Session of the 126th Legislature.

Enacted Law Summary

Public Law 2013, chapter 354 does the following.

Part A makes allocations of funds for the fiscal years ending June 30, 2014 and June 30, 2015.

Part B provides funding for approved reclassifications and range changes.

Part C repeals the transit bonus payment program administered by the Department of Transportation and delays that repeal until July 1, 2014.

Part D allows the use of nonbond funds from the TransCap Trust Fund for capital projects with an estimated life of five years for the 2014-2015 biennium.

Part E limits funding for merit increases to fiscal year 2013-14 only. It also eliminates longevity payments to individuals not eligible on June 30, 2013 and maintains the longevity payment level for those eligible on June 30, 2013 at the rate in effect on June 30, 2013. It also extends the limitation on longevity payments to the legislative branch and the judicial branch. It adds an appropriations and allocations section.

Part F requires that the funding for the Department of Public Safety, Bureau of State Police be provided 35% from the Highway Fund and 65% from the General Fund beginning in fiscal year 2013-14. This Part also adds a paragraph stating that a fact-based determination has been made that this funding allocation represents an accurate assessment of the amount of the time spent by the Department of Public Safety, Bureau of State Police enforcing state traffic laws. This Part requires the Department of Public Safety, Bureau of State Police to track Highway Fund eligible activities and starting on March 1, 2018, to report every four years on the average annual percentage of Highway Fund eligible activities for the previous four years.

Part G requires the State Controller to transfer \$5,210,691 in fiscal year 2013-14 and \$5,334,017 in fiscal year 2014-15 from the Highway Fund unallocated surplus to the TransCap Trust Fund.

Part H requires the State Budget Officer to calculate the savings in this Part that apply against each Highway Fund account as a result of the changes and to distribute those amounts by financial order upon the recommendation of the Governor as adjustments to appropriations and allocations.

Part I establishes the program amount of Local Road Assistance at 9.0% of the Highway Fund budget, effective July 1, 2014. This Part also repeals a dated "hold harmless" provision that set payments to some municipalities at fiscal year 1998-99 levels, thus making them out of proportion to road mileage. This Part also streamlines administration and increases funding certainty by reducing the number of local road assistance payments to municipalities to one per year instead of four quarterly payments.

Part J recognizes an increase in the attrition rate to 6.0% for the 2014-2015 biennium for judicial branch and executive branch departments and agencies.

Joint Standing Committee on Transportation

Part K authorizes the Department of Administrative and Financial Services to enter into financing arrangements in fiscal years 2013-14 and 2014-15 for the acquisition of motor vehicles for the Department of Public Safety, Bureau of State Police.

Part L authorizes the State Controller to transfer amounts exceeding \$100,000 from the unallocated balance in the Highway Fund, after all commitments, to the Highway and Bridge Capital, Highway and Bridge Light Capital and Maintenance and Operations programs within the Department of Transportation for capital needs.

Part M allows the transfer of Personal Services savings to the Highway and Bridge Capital, Highway and Bridge Light Capital and Maintenance and Operations programs within the Department of Transportation for capital or All Other needs.

Part N provides for a \$50,000,000 GARVEE bond for the Sarah Mildred Long Bridge. It also amends Public Law 2011, chapter 610 to provide that financial arrangements with New Hampshire must provide that the financial liability of the State not be substantially greater than the March 1, 2011 agreement. It also provides that the Department of Transportation will submit proposed legislation to reestablish the Maine-New Hampshire Interstate Bridge Authority. The Joint Standing Committee on Transportation may submit a bill to the Second Regular Session of the 126th Legislature.

Part O requires the Department of Transportation in conjunction with the Department of Environmental Protection to develop a plan to reduce the cost of the state cost-share program for salt and sand storage facilities under the Maine Revised Statutes, Title 23, section 1851 and to end the program within a certain number of years. The Department of Transportation is required to submit the plan, with recommended legislation, to the Joint Standing Committee on Transportation no later than January 17, 2014. The committee has authority to submit a bill to the Second Regular Session of the 126th Legislature.

Public Law 2013, chapter 354 was enacted as an emergency measure effective June 26, 2013.

LD 1484 An Act To Amend the Laws Governing Weight Tolerance for Certain Vehicles

**PUBLIC 195
EMERGENCY**

| <u>Sponsor(s)</u> | <u>Committee Report</u> | <u>Amendments Adopted</u> |
|---------------------|-------------------------|---------------------------|
| WILLETTE SHERMAN | OTP | S-120 MAZUREK |

Current law allows a 4-axle single-unit vehicle registered as a farm truck and hauling potatoes a tolerance weight of 64,000 pounds until October 1, 2013. This bill removes the date restriction.

Senate Amendment "A" (S-120)

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

Enacted Law Summary

Current law allows a 4-axle single-unit vehicle registered as a farm truck and hauling potatoes a tolerance weight of 64,000 pounds until October 1, 2013. Public Law 2013, chapter 195 removes the date restriction.

Public Law 2013, chapter 195 was enacted as an emergency measure effective June 4, 2013.

Joint Standing Committee on Transportation

LD 1550 An Act To Make Supplemental Allocations from the Highway Fund for the Expenditures of State Government Necessary to the Proper Operations of State Government for the Fiscal Year Ending June 30, 2013

**PUBLIC 321
EMERGENCY**

| <u>Sponsor(s)</u> | <u>Committee Report</u> | <u>Amendments Adopted</u> |
|----------------------|-------------------------|---------------------------|
| THERIAULT COLLINS | OTP-AM | H-292 |

This bill adjusts Highway Fund allocations in fiscal year 2012-13 to align Highway Fund allocations with available Highway Fund budgeted resources.

Committee Amendment "A" (H-292)

This amendment adds a new section to carry forward unexpended All Other funds as of June 30, 2013 in the Department of Secretary of State, Administration - Motor Vehicles program.

Enacted Law Summary

Public Law 2013, chapter 321 adjusts Highway Fund allocations in fiscal year 2012-13 to align Highway Fund allocations with available Highway Fund budgeted resources. It also carries forward unexpended All Other funds as of June 30, 2013 in the Department of Secretary of State, Administration - Motor Vehicles program.

Public Law 2013, chapter 321 was enacted as an emergency measure effective June 21, 2013.

LD 1575 Resolve, Regarding Memorial Plaques Honoring Vietnam Veterans near the Vietnam Veterans Memorial Bridge between Lewiston and Auburn

**HELD BY
GOVERNOR**

| <u>Sponsor(s)</u> | <u>Committee Report</u> | <u>Amendments Adopted</u> |
|-------------------|-------------------------|---------------------------|
| CRAVEN ROTUNDO | | |

This resolve was acted upon without reference to committee.

This resolve requires the Department of Transportation, within existing resources, to remove existing plaques honoring Vietnam veterans on the Lewiston and Auburn approaches to the Vietnam Veterans Memorial Bridge, donate those plaques to the respective cities where they are currently located and procure and install new plaques that are similar to the existing plaques and have room for additional names. The new plaques may be maintained and updated by the respective cities where the plaques are installed.

Joint Standing Committee on Transportation

SUBJECT INDEX

Bonds

Not Enacted

LD 429 An Act To Authorize a GARVEE Bond for the Repair of Deficient Arterial State Highways and Bridges ONTP

Bridges

Enacted

LD 14 Resolve, Directing the Department of Transportation To Name a Bridge between Kennebunk and Kennebunkport the Mathew J. Lanigan Bridge RESOLVE 6
EMERGENCY
LD 568 Resolve, To Name Bridge Number 2975 in Kenduskeag the Kenduskeag Veterans Bridge RESOLVE 7

Driver Education

Not Enacted

LD 1268 An Act To Update Driver Education Requirements ONTP

East-west Highway

Enacted

LD 985 Resolve, To Repeal the Requirement That the Department of Transportation Facilitate a Feasibility Study of an East-west Highway and Provide for Public Access to Certain Documents RESOLVE 41

Not Enacted

LD 362 An Act To Prohibit Use of Public Funds for a Private Transportation Study ONTP
LD 870 Resolve, Regarding a Study by the Department of Transportation of the Most Efficient Options for Improving East-west Transit and Transportation ONTP
LD 1209 An Act To Prohibit the Use of Public Resources for a Privately Owned East-west Highway ONTP
LD 1269 An Act To Require an Independent Analysis of the Impact of and a Review Process for an East-west Highway prior to Development ONTP
LD 1304 Resolve, Establishing the East-west Highway Study Commission To Oversee Further Study or Planning for an East-west Highway ONTP

General Highway Fund

Enacted

LD 324 An Act To Make 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, 2013 PUBLIC 42
EMERGENCY
LD 1480 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, 2014 and June 30, 2015 PUBLIC 354
EMERGENCY

General Highway Fund

Enacted

| | | |
|---------|--|-------------------------|
| LD 1550 | An Act To Make Supplemental Allocations from the Highway Fund for the Expenditures of State Government Necessary to the Proper Operations of State Government for the Fiscal Year Ending June 30, 2013 | PUBLIC 321 EMERGENCY |
|---------|--|-------------------------|

Inspection

Enacted

| | | |
|-------|---|-----------|
| LD 21 | An Act To Amend the Motor Vehicle Laws Governing Requisite Tire Size and Frame Height | PUBLIC 30 |
|-------|---|-----------|

Not Enacted

| | | |
|---------|--|------|
| LD 270 | An Act To Improve the Motor Vehicle Inspection System | ONTP |
| LD 406 | An Act To Require Antique Automobiles That Are Operated on the Highways To Be Inspected | ONTP |
| LD 780 | An Act To Reduce Conflicts of Interest in the Motor Vehicle Inspection Program | ONTP |
| LD 1371 | An Act To Exempt New Cars from Motor Vehicle Inspection for 2 Years Following the Initial Purchase | ONTP |

Insurance

Enacted

| | | |
|--------|--|------------|
| LD 919 | An Act To Require an Operator To Provide Evidence of Liability Insurance or Financial Responsibility at the Scene of an Accident | PUBLIC 291 |
|--------|--|------------|

Miscellaneous - Transportation

Enacted

| | | |
|---------|--|------------|
| LD 1356 | An Act To Improve the Statutes Governing Road Associations | PUBLIC 198 |
| LD 1392 | An Act To Amend the Motor Vehicle Laws | PUBLIC 381 |

Not Enacted

| | | |
|---------|---|-------------------|
| LD 405 | An Act To Increase Municipal Agent Fees for Licensing and Registration of Motor Vehicles | VETO SUSTAINED |
| LD 1257 | An Act To Create Corridor Transit Districts | ONTP |
| LD 1465 | An Act To Increase Accountability and Efficiency of Independent Entities Involved in Separate Aspects of the State's Transportation Systems | ONTP |

Motor Carriers

Enacted

| | | |
|---------|--|-------------------------|
| LD 109 | An Act Relating to Vehicles Delivering Home Heating Fuel | PUBLIC 55 |
| LD 494 | An Act Regarding Maine Commercial Motor Carrier Safety Regulations | PUBLIC 50 |
| LD 1467 | Resolve, To Establish Demonstration Projects To Promote Economic Development in the Forest Products Industry | RESOLVE 64 EMERGENCY |
| LD 1484 | An Act To Amend the Laws Governing Weight Tolerance for Certain Vehicles | PUBLIC 195 EMERGENCY |

Not Enacted

| | | |
|--------|---|------|
| LD 501 | An Act Regarding Enforcement of Commercial Vehicle Laws | ONTP |
|--------|---|------|

Motor Carriers

Not Enacted

LD 1076 An Act To Allow for the Equalization of Truck Weights between Maine and Canada for Limited Use at the Border Crossings CARRIED OVER

Motor Vehicles

Enacted

LD 567 An Act To Amend the Definition of "Special Mobile Equipment" in the Motor Vehicle Laws PUBLIC 84

LD 943 An Act To Amend Provisions of the Law Pertaining to Motor Vehicles PUBLIC 112

Not Enacted

LD 327 An Act To Allow Media Motor Vehicles To Be Equipped with Amber Auxiliary Lights DIED BETWEEN HOUSES

LD 472 An Act To Allow Properly Lifted Vehicles To Operate ONTP

LD 570 An Act To Create a Vintage Car Category in the Motor Vehicle Laws ONTP

LD 945 An Act To Amend Provisions of Law Pertaining to Motor Vehicles ONTP

Operator's License

Enacted

LD 187 An Act To Permit Temporary Operation of a Motor Vehicle with an Expired Operator's License Solely for the Purpose of Traveling Home or Renewing the License PUBLIC 24

LD 342 An Act To Waive Driver's License and Nondriver Identification Card Fees for Current and Recently Discharged Members of the Armed Forces PUBLIC 51

LD 564 Resolve, To Establish a Working Group To Study Vision Requirements for Obtaining a Driver's License and To Review the Current Prohibition on the Use of Telescopic or Biotopic Lenses while Driving RESOLVE 21

LD 591 An Act To Amend the Laws Governing Motorcycle and Moped Permits PUBLIC 77

LD 835 An Act To Improve Organ Donation Awareness PUBLIC 127

LD 1296 An Act To Require the Secretary of State To Suspend a Person's License in Certain Instances Regardless of whether an Accident Report Has Been Filed PUBLIC 123

LD 1372 An Act Relating to Proof of Citizenship for Renewal of a Driver's License or Nondriver Identification Card PUBLIC 163

Not Enacted

LD 590 Resolve, To Include Questions about Texting on the State's Written Driver's License Examination ONTP

Public Transportation

Not Enacted

LD 120 An Act To Facilitate Regional Transit CARRIED OVER

LD 763 Resolve, Directing the Department of Transportation and the Maine Turnpike Authority To Conduct a Study Regarding the Need for a Passenger Transit Service Linking Municipalities from Portland North to Lewiston and Auburn ONTP

LD 1365 An Act To Promote New Models of Mobility and Access to Transportation CARRIED OVER

Railroads

Enacted

| | | |
|--------|---|------------|
| LD 999 | Resolve, Directing the Department of Transportation To Seek Funding To Complete a Design and Engineering Assessment for the Extension of Passenger Rail Service from Portland North on the State-owned St. Lawrence and Atlantic Railway Corridor | RESOLVE 31 |
|--------|---|------------|

Not Enacted

| | | |
|---------|--|---------------------------|
| LD 363 | An Act To Improve Safety on Railroad Rights-of-way | ONTP |
| LD 566 | Resolve, To Enhance and Encourage Economic Development of the Lower Penobscot River Basin by Improving Rail Transportation | CARRIED OVER |
| LD 920 | An Act To Prohibit Herbicide Spraying on Abandoned Railroad Lines | MAJORITY (ONTP) REPORT |
| LD 1208 | Resolve, To Establish the Commuter and Passenger Rail Advisory Task Force | ONTP |

Registration Plates

Enacted

| | | |
|--------|---|------------------------|
| LD 371 | Resolve, Regarding Revenue from the World Acadian Congress Commemorative Registration Plate | RESOLVE 4 EMERGENCY |
| LD 438 | An Act To Add Trailers to the Additional Versions or Classes of a Specialty Plate | PUBLIC 66 |

Not Enacted

| | | |
|--------|---|------|
| LD 51 | An Act To Allow Lifetime Disability Plates or Placards for Eligible Applicants with Lower Limb Loss | ONTP |
| LD 226 | An Act To Establish a Renewable Energy License Plate | ONTP |
| LD 765 | An Act To Amend the Law Regarding Motorcycle Registration Expiration Dates | ONTP |

Roads

Not Enacted

| | | |
|--------|--|------|
| LD 473 | Resolve, To Widen the Shoulders of Highways | ONTP |
| LD 479 | An Act To Require Center Line Markings on All State and State Aid Highways | ONTP |

School Buses

Not Enacted

| | | |
|---------|--|--------------|
| LD 52 | An Act To Improve the Safety of School Buses | ONTP |
| LD 1327 | An Act To Provide Greater Options for Transportation of Public School Students for Cocurricular Activities | CARRIED OVER |

Signs

Enacted

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|--------|--|------------|
| LD 407 | Resolve, Relating to Guide Signs on Highways | RESOLVE 14 |
|--------|--|------------|

Not Enacted

| | | |
|-------|--|------|
| LD 12 | Resolve, Directing the Department of Transportation To Add a Reference to the Katahdin Trail to the Sign for the First Newport Exit on Interstate 95 North | ONTP |
|-------|--|------|

Signs

Not Enacted

| | | |
|---------|--|------------------------|
| LD 13 | Resolve, Directing the Maine Turnpike Authority To Place Signs Directing Motorists to Berwick Academy | ONTP |
| LD 74 | Resolve, Directing the Department of Transportation To Place a Sign on Northbound Interstate 95 Directing Motorists to Lee Academy | DIED BETWEEN HOUSES |
| LD 108 | An Act To Rename Big Moose Mountain as Red Eagle Mountain | CARRIED OVER |
| LD 332 | Resolve, To Direct the Department of Transportation To Provide Signs on Interstate 95, on Interstate 395 and in the City of Brewer for the Underground Railroad Memorial at Chamberlain Freedom Park | DIED BETWEEN HOUSES |
| LD 404 | An Act To Exempt Snowmobile Clubs from Certain Department of Transportation Sign Requirements | ONTP |
| LD 483 | An Act To Promote Small Businesses by Enhancing the Use of On-premises Signs | MAJORITY (ONTP) REPORT |
| LD 571 | Resolve, To Require Signs Recognizing the 45th Parallel North in Maine | ONTP |
| LD 712 | Resolve, Directing the Department of Transportation To Place Signs on Interstate 295 Directing Motorists to the Town of Harpswell | ONTP |
| LD 817 | Resolve, To Require That a Sign Directing Motorists To Gould Academy Be Placed on the Maine Turnpike | ONTP |
| LD 1575 | Resolve, Regarding Memorial Plaques Honoring Vietnam Veterans near the Vietnam Veterans Memorial Bridge between Lewiston and Auburn | HELD BY GOVERNOR |

Traffic Regulations

Enacted

| | | |
|---------|--|------------------------|
| LD 11 | An Act To Allow Vehicles Engaged in Snow Removal or Sanding Operations on Public Ways To Use Preemptive Traffic Light Devices | PUBLIC 61 EMERGENCY |
| LD 127 | An Act Relating to Ways under the Jurisdiction of the Midcoast Regional Redevelopment Authority and the Loring Development Authority | PUBLIC 48 |
| LD 589 | An Act To Strengthen the Law Regarding Texting and Driving | PUBLIC 188 |
| LD 654 | An Act Regarding the Maximum Rate of Speed on the Interstate Highway System | PUBLIC 107 |
| LD 918 | An Act To Remove the Provision That a Motorcycle Operator May Prove a Motorcycle Muffler Does Not Exceed Specific Noise Standards | PUBLIC 100 |
| LD 1460 | An Act To Update and Clarify the Laws Governing the Operation of Bicycles on Public Roadways | PUBLIC 241 |

Not Enacted

| | | |
|-------|---|------------------------|
| LD 17 | An Act To Require Motorists To Stop for Pedestrians in Crosswalks | MAJORITY (ONTP) REPORT |
| LD 57 | An Act To Exempt Occupants of Antique Autos from Seat Belt Requirements | MAJORITY (ONTP) REPORT |
| LD 66 | An Act To Require That Motorcyclists Wear Helmets | MAJORITY (ONTP) REPORT |

Traffic Regulations

Not Enacted

| | | |
|---------|---|------------------------|
| LD 68 | An Act To Prohibit the Use of a Handheld Mobile Telephone while Operating a Motor Vehicle | MAJORITY (ONTP) REPORT |
| LD 620 | An Act To Expand the Authorized Operation of All-terrain Vehicles on Roads | ONTP |
| LD 937 | An Act To Amend the Laws Governing Disability Parking Spaces | ONTP |
| LD 1075 | An Act To Allow Motorists To Proceed through an Intersection after Stopping for a Red Light | ONTP |

Transportation Department

Enacted

| | | |
|---------|---|------------|
| LD 655 | An Act To Amend or Repeal Outdated or Underutilized Laws Related to Transportation | PUBLIC 36 |
| LD 721 | An Act To Provide Transparency in Public-private Partnerships for Transportation Projects | PUBLIC 208 |
| LD 1464 | An Act To Streamline the Laws Related to Transportation | PUBLIC 220 |

Not Enacted

| | | |
|---------|---|------------------------|
| LD 67 | An Act To Strengthen Collaboration in the Transfer of Responsibilities for State and State Aid Highways | MAJORITY (ONTP) REPORT |
| LD 75 | An Act To Ensure Pedestrian Safety in Roundabouts | ONTP |
| LD 403 | Resolve, To Establish a Task Force on the Establishment of So-called Complete Streets Design Guidelines | ONTP |
| LD 446 | Resolve, Directing the Department of Transportation To Develop a Less Corrosive Road Deicing Strategy | ONTP |
| LD 565 | Resolve, To Establish a Task Force To Study the Feasibility of Imposing Tolls on Interstate 95 | ONTP |
| LD 582 | An Act To Enhance and Encourage Economic Development of the Lower Penobscot River Basin by Creating a Niche Port Plan | ONTP |
| LD 764 | Resolve, Directing the Department of Transportation To Conduct a Traffic Study To Consider Whether To Open Water Street in Augusta to 2-way Traffic | ONTP |
| LD 819 | Resolve, To Equalize Tolls on Highways in the State | MAJORITY (ONTP) REPORT |
| LD 875 | Resolve, Directing the Department of Transportation and the Maine Turnpike Authority To Conduct a Study of Possible Connector Roads in Androscoggin and Franklin Counties | ONTP |
| LD 1168 | Resolve, To Establish the Commission To Study How To Improve Maine's Transportation Infrastructure | ONTP |

Turnpike Authority

Enacted

| | | |
|--------|--|---------|
| LD 983 | An Act To Make Allocations from Maine Turnpike Authority Funds for the Maine Turnpike Authority for the Calendar Year Ending December 31, 2014 | P & S 9 |
|--------|--|---------|

Not Enacted

| | | |
|--------|---|------|
| LD 569 | Resolve, To Study the Impact of Higher Maine Turnpike Tolls on Workers, Businesses and Economic Development | ONTP |
|--------|---|------|

Turnpike Authority

Not Enacted

| | | |
|----------------|--|-----------------------------------|
| LD 588 | An Act To Abolish the Maine Turnpike Authority and Transfer Its Functions and Duties to the Department of Transportation | ONTP |
| LD 621 | An Act To Change the Tolling on the Maine Turnpike | ONTP |
| LD 779 | An Act To Require a Public Notification and Hearing Process before Any Toll Increase by the Maine Turnpike Authority and Establish a Formal Grievance Process | ONTP |
| LD 818 | Resolve, Directing the Department of Transportation and the Maine Turnpike Authority To Assess the Effects of Funding and Policy Decisions on the Maine Turnpike and I-295 between Portland and Augusta | MAJORITY (ONTP) REPORT |
| LD 917 | An Act To Waive Tolls on the Maine Turnpike for Certain Disabled Maine Veterans | ONTP |
| LD 957 | An Act To Require Legislative Approval for the Issuance of Bonds by the Maine Turnpike Authority | ONTP |
| LD 1382 | An Act To Provide Toll Discounts to Maine Commuters on the Maine Turnpike | ONTP |

STATE OF MAINE
126TH LEGISLATURE
FIRST REGULAR SESSION



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

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

July 2013

MEMBERS:

SEN. JOHN L. TUTTLE, JR., CHAIR
SEN. JOHN L. PATRICK
SEN. GARRETT PAUL MASON

REP. LOUIS J. LUCHINI, CHAIR
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DANIELLE D. FOX, LEGISLATIVE ANALYST
COLLEEN MCCARTHY REID, LEGISLATIVE ANALYST
OFFICE OF POLICY AND LEGAL ANALYSIS
13 STATE HOUSE STATION
AUGUSTA, ME 04333
(207) 287-1670

Joint Standing Committee on Veterans and Legal Affairs

LD 15 An Act To Amend the Authorized Hours during Which Liquor May Be Sold and Purchased

PUBLIC 240

| <u>Sponsor(s)</u> | <u>Committee Report</u> | <u>Amendments Adopted</u> |
|--------------------|-------------------------|---------------------------|
| GILBERT PATRICK | OTP-AM ONTP | H-216 |

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-216)

This amendment replaces the bill, which proposes to amend current law to allow licensees to sell or deliver liquor as early as 5 a.m. any day of the week. This amendment allows for the 5 a.m. sale and delivery of liquor Monday through Saturday but maintains current law prohibiting sale until 9 a.m. on all Sundays, except for Sundays falling on March 17th.

Enacted Law Summary

Public Law 2013, chapter 240 provides that liquor licensees may sell or deliver liquor as early as 5 a.m. any day of the week Monday through Saturday but maintains current law prohibiting sale until 9 a.m. on all Sundays, except for Sundays falling on March 17th.

LD 24 An Act To Reduce the Number of Labels of Wine a Retailer Must Stock To Conduct a Wine Tasting

DIED BETWEEN HOUSES

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

Current law allows an off-premise retail licensee stocking at least 125 different wine labels to conduct taste testings of wine on that licensee's premises.

This bill reduces the number of labels to 45.

Committee Amendment "A" (S-58)

This amendment, which was not adopted, is the minority report of the committee and provides that, until July 1, 2015, the number of wine labels required to be stocked by an off-premise retail licensee to be able to conduct a taste testing is reduced from 125 to 45 but only if the licensee does not also sell gasoline or diesel fuel at the same establishment.

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

CARRIED OVER

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

Joint Standing Committee on Veterans and Legal Affairs

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

This bill was carried over to any special or regular session of the 126th Legislature by joint order, H.P. 1145, as amended by H-B (H-580) and H-C (H-582).

LD 53 An Act To Increase Voting Access ONTP

| <u>Sponsor(s)</u> | <u>Committee Report</u> | <u>Amendments Adopted</u> |
|-------------------|-------------------------|---------------------------|
| BECK PATRICK | ONTP | |

This bill provides that a person may vote by absentee ballot in the presence of a municipal clerk until the close of business on the day before election day. Current law requires such voting to be completed no later than three business days before election day.

LD 54 An Act To Expand Access to Absentee Ballots ONTP

| <u>Sponsor(s)</u> | <u>Committee Report</u> | <u>Amendments Adopted</u> |
|----------------------|-------------------------|---------------------------|
| LIBBY N CLEVELAND | 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 until 8:00 p.m. on the day of any election.

LD 69 An Act To Strengthen Financial Disclosure Laws for the Legislative and Executive Branches of State Government ONTP

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

Joint Standing Committee on Veterans and Legal Affairs

This bill proposes to amend the financial disclosure laws for Legislators and certain executive branch employees with regard to annual disclosure statements by reducing the minimum value of gifts that must be disclosed from \$300 to \$200, by requiring the disclosure of the annual total value of gifts, honoraria over \$2,000 and income received over \$10,000 for the sale, rental or lease of goods and services and by requiring that reportable income be identified as falling within specified ranges of income. The bill also provides that a former executive employee in a major policy-influencing position may not accept compensation for employment during the 12-month period immediately following termination of employment as an executive employee with, or under a contract to provide services during that period to, a person that is engaged in a business activity that is regulated by the state or quasi-state agency by which the former executive employee was employed.

LD 110 An Act To Limit Political Contributions by Public Employee Labor Unions

**ACCEPTED
MAJORITY
(ONTP) REPORT**

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

This bill prohibits a public employee labor union from making contributions to a candidate in a state primary or general election for statewide office.

Committee Amendment "A" (H-168)

This amendment, which is the minority report and was not adopted, replaces the bill and prohibits a public employee labor union from using dues to fund political communications. Dues may be used to fund a contribution to a political action committee.

LD 121 An Act To Amend the Laws Governing the Operation of Tournament Games by Charitable Organizations

ONTP

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

This bill amends the laws governing the operation of tournament games by charitable organizations. Current law requires that only members of the organization may conduct tournament games.

This bill allows the charitable organization to hire nonmembers to conduct the tournament games. Compensation paid to nonmembers for conducting a tournament game is limited to 20% of the gross revenue from the entry fees collected for the tournament game. The bill also increases the maximum entry fee for tournament game players.

LD 151 An Act To Allow 2 Eligible Organizations To Jointly Hold a Game of Beano or Bingo

PUBLIC 305

| <u>Sponsor(s)</u> | <u>Committee Report</u> | <u>Amendments Adopted</u> |
|--------------------|-------------------------|---------------------------|
| KESCHL SAVIELLO | OTP-AM ONTP | H-266 |

This bill proposes an exemption to current law to allow two organizations licensed to operate or conduct a game of beano or bingo to jointly operate that game on the same premises on the same date.

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Committee Amendment "A" (H-266)

This amendment replaces the bill and is the majority report of the committee. It establishes a limited dual beano license that permits two organizations eligible to conduct beano to conduct a game at the same location on the same date. It provides that an organization that operates beano under a limited dual beano license may only do so up to two times per year. Organizations that apply for a limited dual beano license must identify a lead applicant who acknowledges responsibility for any violation of laws or rules during the game. The limited dual beano license does not authorize the sale of sealed tickets.

Enacted Law Summary

Public Law 2013, chapter 305 establishes a limited dual beano license that permits two organizations eligible to conduct beano to conduct a game at the same location on the same date. It provides that an organization that operates beano under a limited dual beano license may only do so up to two times per year. Organizations that apply for a limited dual beano license must identify a lead applicant who acknowledges responsibility for any violation of laws or rules during the game. The limited dual beano license does not authorize the sale of sealed tickets.

LD 156 RESOLUTION, Proposing an Amendment to the Constitution of Maine CARRIED OVER
Concerning Early Voting and Voting by Absentee Ballot

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

This resolution proposes to amend the Constitution of Maine to require the Legislature to authorize a process to allow a qualified voter to vote at a polling place in or outside of the city, town or plantation where that voter's residence has been established during a period immediately preceding an election. It also allows for voting by absentee ballot by citizens for reasons deemed sufficient without requiring in the Constitution of Maine that the citizens be absent or physically incapacitated.

Committee Amendment "A" (H-127)

This amendment eliminates the language in the resolution that requires the Legislature to authorize early voting by voters within or outside their places of residence and instead directs the Legislature to authorize a process of early voting that allows voting to occur in the same manner as on election day during a period immediately preceding an election.

This bill was committed to the Joint Standing Committee on Appropriations and Financial Affairs and carried over to any special or regular session of the 126th Legislature by joint order, H.P. 1145, as amended by H-B (H-580) and H-C (H-582).

LD 169 An Act To Provide Revenue to Veterans' Organizations and the Maine PUBLIC 128
Veterans' Memorial Cemetery System Care Fund from Table Game EMERGENCY
Revenue

| <u>Sponsor(s)</u> | <u>Committee Report</u> | <u>Amendments Adopted</u> |
|----------------------|-------------------------|---------------------------|
| PATRICK LONGSTAFF | OTP-AM | S-57 |

Current law requires 2% of the net table game income generated at a casino with a commercial track to be held by the Department of Public Safety, Gambling Control Board for distribution to charitable nonprofits eligible to

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conduct beano or games of chance. This bill changes that distribution, instead directing the income to the Coordinated Veterans Assistance Grant Fund, which is established in the bill to give grants to assist veterans' service organizations and to make an annual deposit to the Maine Veterans' Memorial Cemetery System Care Fund.

Committee Amendment "A" (S-57)

Current law requires 2% of the net table game income generated at a casino in Bangor to be held by the Department of Public Safety, Gambling Control Board for distribution to charitable nonprofit organizations eligible to conduct beano games and games of chance. This amendment provides that distribution of the table game income will go to the Coordinated Veterans Assistance Fund, which is established to assist veterans' service organizations with transportation of veterans to medical appointments and outreach to homeless veterans and to provide funding for veteran service officers at the Veterans Administration Hospital at Togus, for flags for veterans graves and for the Maine Veterans' Memorial Cemetery System Care Fund.

Enacted Law Summary

Public Law 2013, chapter 128 repealed a provision of law governing the use of revenues from table games at one of the two licensed casinos in the State where 2% of the net table game income generated at a casino in Bangor was to be held by the Department of Public Safety, Gambling Control Board for distribution to charitable nonprofit organizations eligible to conduct beano games and games of chance. Chapter 128 provides that distribution of the table game income will go to the Coordinated Veterans Assistance Fund, which is established to assist veterans' service organizations with transportation of veterans to medical appointments and outreach to homeless veterans and to provide funding for veteran service officers at the Veterans Administration Hospital at Togus, for flags for veterans graves and for the Maine Veterans' Memorial Cemetery System Care Fund.

Public Law 2013, chapter 128 was enacted as an emergency measure effective May 24, 2013.

LD 174 An Act To Prohibit the Placement of Political Signs within 25 Feet of a Cemetery or Burial Site ONTP

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

This bill prohibits the placement of political signs within 25 feet of a known burial site or of the boundaries of an established cemetery.

LD 184 An Act To Enhance Transparency in Government by Implementing a Waiting Period for Legislators before They May Register as Lobbyists PUBLIC 129

| <u>Sponsor(s)</u> | <u>Committee Report</u> | <u>Amendments Adopted</u> |
|--------------------|-------------------------|---------------------------|
| CROCKETT TUTTLE | OTP-AM | H-115 |

This bill prohibits a person who served as a Legislator from lobbying until one year after that person's term as a Legislator ends. It applies to a Legislator who serves in the 126th Legislature or in a later legislature.

Committee Amendment "A" (H-115)

This amendment replaces the bill, which amended the statute governing lobbyist disclosure procedures to prohibit a former Legislator from engaging in lobbying for one year after the Legislator's term ends.

This amendment amends the provisions of law that govern legislative ethics to prohibit a former Legislator from engaging in activities that would require registration as a lobbyist or lobbyist associate until one year after that

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person's term as a Legislator ends.

This prohibition begins with the 127th Legislature.

The amendment specifies that uncompensated lobbying is not prohibited. The amendment specifies that the Commission on Governmental Ethics and Election Practices is authorized to investigate complaints and impose a penalty of up to \$1,000 for intentional violation of the waiting period.

Enacted Law Summary

Public Law 2013, chapter 129 amends the provisions of law that govern legislative ethics to prohibit a former Legislator from engaging in activities that would require registration as a lobbyist or lobbyist associate until one year after that person's term as a Legislator ends.

This prohibition begins with the 127th Legislature.

Chapter 129 specifies that uncompensated lobbying is not prohibited. It further specifies that the Commission on Governmental Ethics and Election Practices is authorized to investigate complaints and impose a penalty of up to \$1,000 for intentional violation of the waiting period.

LD 185 An Act To Increase the Discount Rate on Alcoholic Beverages Sold by ONTP **Agency Liquor Stores**

| <u>Sponsor(s)</u> | <u>Committee Report</u> | <u>Amendments Adopted</u> |
|------------------------|-------------------------|---------------------------|
| EVANGELOS DUTREMBLE | ONTP | |

This bill increases the minimum discount price and establishes a maximum discount price for spirits and fortified wine sold by agency liquor stores.

LD 213 An Act To Provide Funding for Transportation of Veterans to Medical ONTP **Facilities**

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

This bill provides an ongoing General Fund appropriation of \$15,000 in fiscal years 2013-14 and 2014-15 to the Department of Defense, Veterans and Emergency Management to support the operating costs of the Disabled American Veterans transportation network, which provides round-trip transportation services to United States Veterans' Administration medical facilities.

LD 214 An Act To Require Registered Voter Lists To Be Provided to ONTP **Candidates for Legislative Office**

| <u>Sponsor(s)</u> | <u>Committee Report</u> | <u>Amendments Adopted</u> |
|--------------------|-------------------------|---------------------------|
| BROOKS GRATWICK | ONTP | |

This bill requires the Secretary of State to provide lists of registered voters in a legislative district to candidates for the Legislature in that district prior to the primary and general elections.

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LD 216 An Act To Extend the Hours for the Sale of Liquor on Sunday When St. Patrick's Day Is on a Sunday

**PUBLIC 2
EMERGENCY**

| <u>Sponsor(s)</u> | <u>Committee Report</u> | <u>Amendments Adopted</u> |
|-------------------|-------------------------|---------------------------|
| HOBBINS CRAVEN | OTP | |

Current law prohibits the sale of liquor on Sunday between the hours of 6 a.m. and 9 a.m.

This bill provides that this prohibition does not apply when St. Patrick's Day, March 17th, falls on a Sunday.

Enacted Law Summary

Public Law 2013, chapter 2 amends the law that prohibits the sale of liquor on Sunday between the hours of 6 a.m. and 9 a.m. by providing that this prohibition does not apply when St. Patrick's Day, March 17th, falls on a Sunday.

Public Law 2013, chapter 2 was enacted as an emergency measure effective March 15, 2013.

LD 227 An Act Concerning High-stakes Beano

CARRIED OVER

| <u>Sponsor(s)</u> | <u>Committee Report</u> | <u>Amendments Adopted</u> |
|--------------------|-------------------------|---------------------------|
| MITCHELL TUTTLE | | |

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

This bill was carried over to any special or regular session of the 126th Legislature by joint order, H.P. 1145, as amended by H-B (H-580) and H-C (H-582).

LD 239 An Act To Improve the Return to the State on the Sale of Spirits and To Provide a Source of Payment for Maine's Hospitals

INDEF PP

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

Part A repeals the law privatizing the State's wholesale liquor business and the law requiring the Commissioner of Administrative and Financial Services to seek bids no later than June 20, 2013 for the renewal, replacement or continuation of the current contract regarding the privatization. Instead, this bill allows the commissioner to enter into an agreement for certain wholesale liquor activities. Part A also amends the criteria for obtaining a license as an agency liquor store to clarify that an applicant that was licensed in another state to sell malt liquor, wine or spirits at retail for off-premises consumption must have conducted that business without a violation of the laws

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governing the sale of alcoholic beverages in the state in which that applicant was licensed. Part A also repeals the provisions of law regarding wholesale liquor providers.

Part B authorizes the Treasurer of State, with the approval of the Governor, to issue liquor operation revenue bonds in an amount up to \$187,000,000. Part B establishes 2 funds, the Health Care Liability Retirement Fund and the Liquor Operation Revenue Fund. The Health Care Liability Retirement Fund is funded with the revenue from the sale of the bonds and used to pay debts owed by the State for services provided by health care providers prior to December 1, 2012; anything in excess of the amount owed is transferred to the Liquor Operation Revenue Fund. The Liquor Operation Revenue Fund is funded by revenue from the management of wholesale liquor activities; such revenue will be used to pay the principal and interest of the liquor operation revenue bonds as those amounts become due. During the repayment of bonds period, any excess revenue is transferred to the Department of Health and Human Services and the Department of Environmental Protection for revolving loan funds for drinking water systems and wastewater treatment and to the Department of Transportation for construction of highways and bridges. Following the retirement of bonds, excess revenue is also transferred to the Maine Budget Stabilization Fund. Part B also reiterates a provision contained in the Constitution of Maine that the proceeds from the sale of bonds authorized by the voters may not be used to meet current expenditures of the State.

**LD 241 An Act To Amend Certain Laws Governing the Bureau of Maine
Veterans' Services**

PUBLIC 237

| <u>Sponsor(s)</u> | <u>Committee Report</u> | <u>Amendments Adopted</u> |
|--------------------|-------------------------|---------------------------|
| TUTTLE BEAULIEU | OTP-AM | S-181 |

This bill makes the following changes to the laws governing the Department of Defense, Veterans and Emergency Management, Bureau of Maine Veterans' Services.

1. It requires that, in order to be eligible for educational benefits provided to veterans and their dependents, a student must apply for a Federal Pell Grant.
2. It decreases from 75 years to 62 years the period of time that a certificate of release or discharge from active duty that is filed with a state, county or local government is kept confidential.

Committee Amendment "A" (S-181)

This amendment clarifies which United States Government records, held by the Department of Defense, Veterans and Emergency Management, Bureau of Maine Veterans' Services for safekeeping are considered confidential. It also provides that the confidentiality of these records applies only when they are classified as confidential by the United States Government.

Enacted Law Summary

Public Law 2013, chapter 237 makes changes to the laws governing the Department of Defense, Veterans and Emergency Management, Bureau of Maine Veterans' Services. First, it requires that, in order to be eligible for educational benefits provided to veterans and their dependents at state-sponsored post-secondary institutions in Maine, a student must apply for a Federal Pell Grant. Second, it amends current Maine law which requires that records held by the the bureau on behalf of the federal government regarding certificate of release or discharge from active duty be kept confidential for 75 years. Federal law only requires that those records be confidential for 62 years. Public Law 2013, chapter 237 makes the confidentiality periods the same, at 62 years. The law clarifies that the records to be kept confidential by the bureau are those designated as confidential by the federal government.

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LD 242 An Act To Improve the Military Bureau Laws

PUBLIC 251

| <u>Sponsor(s)</u> | <u>Committee Report</u> | <u>Amendments Adopted</u> |
|--------------------|-------------------------|---------------------------|
| TUTTLE BEAULIEU | OTP-AM | S-131 |

This bill makes the following changes to the laws.

1. It specifies that the Adjutant General may execute cooperative agreements and other arrangements necessary to operate the Department of Defense, Veterans and Emergency Management and provides that the Adjutant General serves as the Governor's homeland security advisor.
2. Under current law, the Director of the Maine Emergency Management Agency is appointed by, and serves at the pleasure of, the Commissioner of Defense, Veterans and Emergency Management. This bill instead provides that the Director of the Maine Emergency Management Agency is appointed by the Governor upon the recommendation of the commissioner, reports administratively to the commissioner and serves at the pleasure of the Governor.
3. It renames the State Area Command as the Joint Force Headquarters and includes a reference to Air National Guard units.
4. It repeals and replaces the section of law that determines the disposition of revenue generated by the Maine Military Authority to additionally authorize the transfer of unreserved retained earnings, in the amount of \$10,000 annually, to each of 3 accounts that may be established within the Military Bureau to be used for official representation funds, for unfunded priorities identified by the Adjutant General and for the Maine National Guard Foundation Fund.
5. Under current law, a general officer commander may impose a certain level of disciplinary punishment. The bill instead specifies that this level of disciplinary punishment may be imposed by a colonel in the chain of command of the individual being punished.
6. It provides that any person subject to the Maine Code of Military Justice who commits an offense under the Maine Criminal Code's chapter governing sexual assaults is also guilty of violating the Maine Code of Military Justice.

Committee Amendment "A" (S-131)

This amendment clarifies that when the Adjutant General executes cooperative agreements they are limited to the purposes described or defined by statute.

Enacted Law Summary

Public Law 2013, chapter 251 does the following.

1. It specifies that the Adjutant General may execute cooperative agreements and other arrangements necessary to operate the Department of Defense, Veterans and Emergency Management and provides that the Adjutant General serves as the Governor's homeland security advisor.
2. Under current law, the Director of the Maine Emergency Management Agency is appointed by, and serves at the pleasure of, the Commissioner of Defense, Veterans and Emergency Management. This law instead provides that the Director of the Maine Emergency Management Agency is appointed by the Governor upon the recommendation of the commissioner, reports administratively to the commissioner and serves at the pleasure of the Governor.

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3. It renames the State Area Command as the Joint Force Headquarters and includes a reference to Air National Guard units.
4. It repeals and replaces the section of law that determines the disposition of revenue generated by the Maine Military Authority to additionally authorize the transfer of unreserved retained earnings, in the amount of \$10,000 annually, to each of three accounts that may be established within the Military Bureau to be used for official representation funds, for unfunded priorities identified by the Adjutant General and for the Maine National Guard Foundation Fund.
5. Under current law, a general officer commander may impose a certain level of disciplinary punishment. Chapter 251 specifies that this level of disciplinary punishment may be imposed by a colonel in the chain of command of the individual being punished.
6. It provides that any person subject to the Maine Code of Military Justice who commits an offense under the Maine Criminal Code's chapter governing sexual assaults is also guilty of violating the Maine Code of Military Justice.

LD 320 An Act To Ensure the Integrity of the Election Process

ONTP

| <u>Sponsor(s)</u> | <u>Committee Report</u> | <u>Amendments Adopted</u> |
|----------------------|-------------------------|---------------------------|
| FARNSWORTH CRAVEN | ONTP | |

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

This bill proposes to review ways to remedy errors made in the course of the conduct of elections including, but not limited to, the circumstances under which a new election is a more appropriate remedy than a recount.

LD 328 An Act Relating to Radon Testing and Disclosure to Tenants

PUBLIC 324

| <u>Sponsor(s)</u> | <u>Committee Report</u> | <u>Amendments Adopted</u> |
|--------------------|-------------------------|---------------------------|
| WHITTEMORE CRAY | OTP-AM ONTP | S-226 |

This bill repeals the current provisions in law related to mandatory radon testing and disclosure of the presence of radon to tenants and prospective tenants in residential buildings and enacts provisions related to disclosure of a radon hazard to tenants and prospective tenants based on Illinois law. The bill provides that radon testing is not required, but requires the disclosure of a radon hazard to tenants and prospective tenants when a landlord is made aware of test results indicating the presence of a radon hazard and mitigation has not been performed to reduce the level of radon. The bill applies to dwelling units located below the third story above ground level in a residential building.

Committee Amendment "A" (S-226)

This amendment replaces the bill. The amendment changes the law regarding radon testing of residential units as follows.

1. Testing remains required by March 1, 2014 and every 10 years thereafter but only upon request by a tenant and only if a mitigation system is not in place.

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2. Landlords must disclose testing results prior to renting rather than to all potential tenants. Landlords must also disclose results of a test to existing tenants within 30 days of receiving results.
3. Landlords are authorized to perform radon testing except in certain complex buildings as defined in rules adopted by the Department of Health and Human Services.
4. Landlords are required to test for radon and disclose the results. The requirement in statute to mitigate is eliminated.
5. The disclosure must include the results of the test, the date of the test, that the tenant has the right to test and a reference to where the tenant can get more information about radon. The Department of Health and Human Services is required to modify the standard disclosure statement form to reflect the changes.
6. If a tenant and the landlord get different results for tests, the landlord may hire a professional and disclose the result of the testing performed by the professional. The landlord may also choose to accept the tenant's results.
7. Tenants explicitly have the right to test for radon.
8. Results of testing by a landlord must be reported to the Department of Health and Human Services within 30 days.
9. By November 1, 2013, the Department of Health and Human Services must adopt rules for testing that incorporate existing protocols by reference.
10. The failure of a landlord to disclose test results or the falsification of records by a landlord is considered a breach of the warranty of habitability.
11. If radon test results exceed 4.0 picocuries per liter, a landlord or tenant may terminate the lease with 30 days' notice in accordance with current law. A landlord may not retain a security deposit for a termination based on radon test results.
12. If a landlord brings an action for forcible entry and detainer, a tenant's assertion of rights under the law regarding residential radon testing creates a rebuttable presumption of retaliation against the tenant.

Enacted Law Summary

Public Law 2013, chapter 324 changes the current law regarding radon testing of residential units as follows.

1. Testing remains required by March 1, 2014 and every 10 years thereafter but only upon request by a tenant and only if a mitigation system is not in place.
2. Landlords must disclose testing results prior to renting rather than to all potential tenants. Landlords must also disclose results of a test to existing tenants within 30 days of receiving results.
3. Landlords are authorized to perform radon testing except in certain complex buildings as defined in rules adopted by the Department of Health and Human Services.
4. Landlords are required to test for radon and disclose the results. The requirement in statute to mitigate is eliminated.
5. The disclosure must include the results of the test, the date of the test, that the tenant has the right to test and a reference to where the tenant can get more information about radon. The Department of Health and Human Services is required to modify the standard disclosure statement form to reflect the changes.

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- 6. If a tenant and the landlord get different results for tests, the landlord may hire a professional and disclose the result of the testing performed by the professional. The landlord may also choose to accept the tenant's results.
- 7. Tenants explicitly have the right to test for radon.
- 8. Results of testing by a landlord must be reported to the Department of Health and Human Services within 30 days.

LD 329 An Act To Reduce the Licensing Fee for Certain Tournament Games

PUBLIC 306

| <u>Sponsor(s)</u> | <u>Committee Report</u> | <u>Amendments Adopted</u> |
|--------------------|-------------------------|---------------------------|
| PATRICK RUSSELL | OTP-AM ONTP | S-155 |

This bill reduces the license fees for tournament games that do not exceed 100 players.

This bill also eliminates the ability of an organization licensed to hold a tournament game to charge a player an addition to the entry fee to defray the cost of the license.

Committee Amendment "A" (S-155)

This amendment increases the fees for tournament game licenses that are proposed by the bill. The license fees proposed in the amendment are a reduction from what is required in current law. The bill removes the provision of current law that provides that a tournament game licensee may charge an amount higher than the maximum entry fee to defray the cost of licensure. The amendment retains this provision of law.

Enacted Law Summary

Public Law 2013, chapter 306 reduces the fee paid by organizations licensed to conduct tournament games. A per tournament license fee is reduced from \$150 to \$75 under this law. A monthly licensee fee is reduced from \$250 to \$200. The fee for an annual license under chapter 306 is reduced from \$3,000 to \$1,500. Finally, chapter 306 repeals a provision in the tournament games law that previously allowed a licensee to apply an extra charge to a tournament game entry fee to defray the cost of the license.

LD 333 An Act To Amend the Provision of Law That Requires the Trade Name or Brand of Malt Liquor To Be Displayed in Full Sight of a Customer on a Faucet, Spigot or Dispensing Apparatus

PUBLIC 165

| <u>Sponsor(s)</u> | <u>Committee Report</u> | <u>Amendments Adopted</u> |
|-------------------|-------------------------|---------------------------|
| SCHNECK | OTP-AM | H-120 |

This bill repeals the requirement that the trade name or brand of malt liquor served from a faucet, spigot or dispensing apparatus be displayed in full sight of a customer on the faucet, spigot or dispensing apparatus.

Committee Amendment "A" (H-120)

This amendment replaces the bill. Current law requires that an on-premises liquor licensee may not serve malt liquor from a tap unless the trade name or brand is clearly labeled on the tap handle. The amendment provides an alternative to current law by providing that licensees who serve malt liquor from a tap may inform consumers about which product is being dispensed by displaying a list of all available malt liquors.

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Enacted Law Summary

Public Law 2013, chapter 165 amends the law which requires that an on-premises liquor licensee may not serve malt liquor from a tap unless the trade name or brand is clearly labeled on the tap handle. Chapter 165 establishes an alternative by providing that licensees who serve malt liquor from a tap may inform consumers about which product is being dispensed by displaying a list of all available malt liquors.

LD 343 Resolve, Regarding the Transfer of Responsibility for Veterans' Cemetery Maintenance ONTP

| <u>Sponsor(s)</u> | <u>Committee Report</u> | <u>Amendments Adopted</u> |
|-------------------|-------------------------|---------------------------|
| COTTA BURNS | ONTP | |

This resolve directs the Commissioner of Agriculture, Conservation and Forestry and the Director of the Bureau of Maine Veterans' Services within the Department of Defense, Veterans and Emergency Management to study the feasibility of transferring the responsibility of maintaining veterans' cemeteries to the Department of Agriculture, Conservation and Forestry, Division of Parks and Public Lands.

LD 344 An Act To Amend the Licensing Requirements for Beano Halls Leased by Veterans' Organizations ONTP

| <u>Sponsor(s)</u> | <u>Committee Report</u> | <u>Amendments Adopted</u> |
|-------------------|-------------------------|---------------------------|
| SHAW PLUMMER | ONTP | |

This bill exempts a veterans' organization that is licensed to conduct beano or bingo games from the requirement to get a beano hall permit if that veterans' organization wishes to lease its facility as a beano hall to an organization licensed to conduct beano or bingo games.

LD 349 An Act To Strengthen Maine's Ethics Laws and Improve Public Access to Information ONTP

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

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

This bill proposes to strengthen Maine's laws governing governmental ethics and to increase transparency and fairness by improving access by the public to information.

**LD 350 An Act To Amend the Laws Governing Gambling PUBLIC 212
EMERGENCY**

| <u>Sponsor(s)</u> | <u>Committee Report</u> | <u>Amendments Adopted</u> |
|--------------------|-------------------------|---------------------------|
| TUTTLE BEAULIEU | OTP-AM | S-142 |

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This bill makes the following changes to the gambling laws.

1. It changes definitions and other provisions of law in order to reflect the addition of casinos.
2. It amends the laws governing the establishment of a list of persons who are to be excluded from a slot machine facility or casino to require the forfeiture of money from the winnings of voluntarily excluded persons and the deposit of this money in the General Fund for gambling addiction services, and to require the protection of the information as confidential of those who voluntarily place themselves on the exclusion list.
3. It changes the way certain keys are handled within casinos.
4. It allows for temporary authorization to allow employees to work in positions for which a license is required during the licensing process.
5. It changes the laws governing when the Gambling Control Board within the Department of Public Safety may refuse to grant a license to a person based on a previous adverse action taken against that person.
6. It removes the requirement that all key executives be citizens or permanent residents of the United States.
7. It removes the requirement that slot machines have nonresettable meters.

Committee Amendment "A" (S-142)

This amendment changes the provision in the bill that requires the Gambling Control Board to adopt rules to require that winnings from wagers due to a person who has been excluded from a casino or slot machine facility either voluntarily or involuntarily be withheld from the excluded person and remitted to an Other Special Revenue Funds account within the office of substance abuse within the Department of Health and Human Services. The amendment provides that winnings are intercepted when they are in an amount that requires reporting to the United States Internal Revenue Service and after any required child support debt or other obligations are remitted from those winnings. The amendment also requires the Gambling Control Board to allow for the excluded person to request an administrative hearing to contest the interception of winnings.

The amendment also clarifies that records obtained by the board regarding persons who seek to be voluntarily excluded from a slot machine facility or casino are confidential, as is provided by the bill, but may be made available in the form of statistical data or in a general manner that does not allow for personal identification of a voluntarily excluded person.

Finally, this amendment provides that the minimum average daily aggregate payback percentage for slot machines be calculated quarterly rather than weekly.

Enacted Law Summary

Public Law 2013, chapter 212 makes the following changes to the gambling laws.

1. It changes definitions and other provisions of law in order to reflect the addition of casinos.
2. It directs the Gambling Control Board to adopt or amend rules governing the establishment of a list of persons who are to be excluded from a slot machine facility or casino to establish a process for the withholding of winnings of a voluntarily excluded person and direct this money gambling addiction services.
3. It also provides that personally identifying information regarding those who voluntarily place themselves on an exclusion list is confidential.
4. It changes the way certain keys are handled within casinos.

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- 5. It allows for temporary authorization to allow employees to work in positions for which a license is required during the licensing process.
- 6. It changes the laws governing when the Gambling Control Board within the Department of Public Safety may refuse to grant a license to a person based on a previous adverse action taken against that person.
- 7. It removes the requirement that all key executives be citizens or permanent residents of the United States.
- 8. It removes the requirement that slot machines have nonresettable meters.
- 9. It provides that the minimum average daily aggregate payback percentage for slot machines be calculated quarterly rather than weekly.

Public Law 2013, chapter 212 was enacted as an emergency measure effective June 10, 2013.

**LD 408 An Act To Require a Copy of Communications To Be Filed with
Independent Expenditure Reports ONTP**

| <u>Sponsor(s)</u> | <u>Committee Report</u> | <u>Amendments Adopted</u> |
|--------------------|-------------------------|---------------------------|
| SAXTON GERZOFKY | ONTP | |

This bill amends the law governing reports required for independent expenditures made in support of or opposition to a candidate. The bill requires that a copy of the communication be included with the independent expenditure report.

**LD 410 An Act To Revise the Maine Clean Election Act Regarding Participation
in Political Action Committees ACCEPTED
MAJORITY
(ONTP) REPORT**

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

This bill prohibits a certified candidate under the Maine Clean Election Act from establishing a political action committee for which the candidate is a principal officer, fund-raiser or decision maker.

Committee Amendment "A" (H-157)

This amendment changes the title and replaces the bill. The amendment which was not adopted, establishes a contribution limit of \$350 per contributor for a political action committee for which a current Legislator is a principal decision maker, officer or fund-raiser.

LD 428 An Act To License Betting on Football Score Pools ONTP

| <u>Sponsor(s)</u> | <u>Committee Report</u> | <u>Amendments Adopted</u> |
|-------------------|-------------------------|---------------------------|
| MACDONALD S | ONTP | |

Joint Standing Committee on Veterans and Legal Affairs

LD 504 **An Act To Amend the Election Laws and Other Related Laws**

PUBLIC 131

Sponsor(s)

TUTTLE
LUCHINI

Committee Report

OTP

Amendments Adopted

This bill makes the following changes to the election laws and other related laws.

1. It decreases the retention period for several types of election documents and filings.
2. It clarifies that the restrictions during the 15-day period after a change of party enrollment do not include the signing of a primary nomination petition, as long as the petition is certified after the 15-day period elapses.
3. It provides explicit authority for the Secretary of State to adopt routine technical rules for conducting voter list maintenance as required by the National Voter Registration Act of 1993.
4. It specifies that the federal and state court systems are entitled to voter registration data from the central voter registration system for the purpose of jury selection or bona fide court purposes.
5. It replaces the current process for formation of a new party by petition with a process of formation by enrolling a certain number of voters in the proposed party.
6. It moves the deadlines for submission of nonparty petitions for a slate of presidential electors to two weeks earlier.
7. It removes the requirement that the municipal clerk report to the Secretary of State when a registered voter changes party enrollment status in order to serve as an election clerk as well as the requirement that the Secretary of State report these changes in party enrollment status to the Legislature by January 15th after a general election.
8. It provides the Secretary of State the authority to act administratively to facilitate voting by Maine registered voters who are civilians living in the United States in an area in which the governor of that state has declared a state of emergency due to a natural disaster or other occurrence, or for Maine registered voters who are responding to and offering assistance to the area in which the state of emergency has been declared.
9. It changes the method of sealing the unopened envelopes containing rejected absentee ballots so that they are sealed with the used absentee envelopes, rather than with the voted ballots.
10. It allows the clerk to submit the notice of election, indicating that the municipality will process absentee ballots on the day prior to election day, to the Secretary of State as a scanned attachment to an e-mail, in addition to other means.
11. It decreases the amount of time an absentee ballot application from a uniformed service voter or overseas voter remains valid, from 2 years to 18 months.
12. It also makes other clarifications and technical corrections to the election laws.

Enacted Law Summary

Public Law 2013, chapter 131 makes the following changes to the election laws and other related laws.

1. It decreases the retention period for several types of election documents and filings.

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2. It clarifies that the restrictions during the 15-day period after a change of party enrollment do not include the signing of a primary nomination petition, as long as the petition is certified after the 15-day period elapses.
3. It provides explicit authority for the Secretary of State to adopt routine technical rules for conducting voter list maintenance as required by the National Voter Registration Act of 1993.
4. It specifies that the federal and state court systems are entitled to voter registration data from the central voter registration system for the purpose of jury selection or bona fide court purposes.
5. It replaces the current process for formation of a new party by petition with a process of formation by enrolling a certain number of voters in the proposed party.
6. It moves the deadlines for submission of nonparty petitions for a slate of presidential electors to two weeks earlier.
7. It removes the requirement that the municipal clerk report to the Secretary of State when a registered voter changes party enrollment status in order to serve as an election clerk as well as the requirement that the Secretary of State report these changes in party enrollment status to the Legislature by January 15th after a general election.
8. It provides the Secretary of State the authority to act administratively to facilitate voting by Maine registered voters who are civilians living in the United States in an area in which the governor of that state has declared a state of emergency due to a natural disaster or other occurrence, or for Maine registered voters who are responding to and offering assistance to the area in which the state of emergency has been declared.
9. It changes the method of sealing the unopened envelopes containing rejected absentee ballots so that they are sealed with the used absentee envelopes, rather than with the voted ballots.
10. It allows the clerk to submit the notice of election, indicating that the municipality will process absentee ballots on the day prior to election day, to the Secretary of State as a scanned attachment to an e-mail, in addition to other means.
11. It decreases the amount of time an absentee ballot application from a uniformed service voter or overseas voter remains valid, from 2 years to 18 months.
12. It also makes other clarifications and technical corrections to the election laws.

LD 508 An Act To Remove the Disqualification from Obtaining a Liquor License for a Law Enforcement Officer Who Does Not Directly Benefit Financially

PUBLIC 168

| <u>Sponsor(s)</u> | <u>Committee Report</u> | <u>Amendments Adopted</u> |
|-------------------|-------------------------|---------------------------|
| SAVIELLO | OTP-AM ONTP | S-60 |

This bill allows full-time law enforcement officers that have a direct or indirect benefit in a place of business to hold a liquor license if they meet all the other requirements.

Committee Amendment "A" (S-60)

This amendment replaces the bill. Current law provides that an applicant is disqualified from obtaining a retail liquor license if a full-time law enforcement officer benefits financially directly or indirectly. The amendment provides that the disqualification only applies if the full-time law enforcement officer directly benefits financially.

Joint Standing Committee on Veterans and Legal Affairs

Enacted Law Summary

Public Law 2013, chapter 168 amends the law which states that an applicant is disqualified from obtaining a retail liquor license if a full-time law enforcement officer benefits financially directly or indirectly. Chapter 168 provides that the disqualification only applies if the full-time law enforcement officer directly benefits financially.

LD 510 An Act To Ensure Equity in Funding to State Postsecondary Institutions of Higher Learning PUBLIC 118

| <u>Sponsor(s)</u> | <u>Committee Report</u> | <u>Amendments Adopted</u> |
|-------------------|-------------------------|---------------------------|
| THOMAS DAVIS | OTP-AM | S-43 |

This bill directs the Department of Public Safety, Gambling Control Board to forward revenue from slot machines operated by a casino operator and by a slot machine operator to the Board of Trustees of the Maine Maritime Academy to help fund its scholarships program.

Committee Amendment "A" (S-43)

This amendment adds an appropriations and allocations section to the bill.

Enacted Law Summary

Public Law 2013, chapter 118 directs the Department of Public Safety, Gambling Control Board to forward revenue received from the operation of slot machines at casinos to the Board of Trustees of the Maine Maritime Academy to help fund its scholarships program. The overall distribution of slot machine revenue is not increased by chapter 118, rather, the percentage previously dedicated solely to the University of Maine System for scholarships is divided between the University of Maine and Maine Maritime Academy based on student enrollment.

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

| <u>Sponsor(s)</u> | <u>Committee Report</u> | <u>Amendments Adopted</u> |
|--------------------|-------------------------|---------------------------|
| WOODBURY BROOKS | | |

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

This bill would take effect only when enacted by states possessing a majority of the electoral votes, that is, enough electoral votes to elect a President, which is 270 of 538.

This bill was carried over to any special or regular session of the 126th Legislature by joint order, H.P. 1145, as amended by H-B (H-580) and H-C (H-582).

Joint Standing Committee on Veterans and Legal Affairs

LD 518 An Act To Establish Ranked-choice Voting in the State

**ACCEPTED
MAJORITY
(ONTP) REPORT**

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

This bill creates the ranked-choice voting method of determining winners in elections for United States Senator, United States Representative to Congress, Governor, State Senator and State Representative. The method simulates the ballot counts that would occur if all voters participated in a series of run-off elections and allows a voter to rank candidates according to that voter's preferences. Each voter has only one vote and the ballot count is the same as would occur if voters participated in a series of run-off elections, with the candidate with the fewest votes eliminated after each round of counting.

There is an initial round of counting. If a candidate receives a majority of votes after the first round, that candidate is declared the winner. If more than two candidates have received votes after the initial round, the Secretary of State conducts a 2nd round. In this second round, the Secretary of State eliminates the candidate with the fewest votes. A ballot that ranks this eliminated candidate as the highest-ranked candidate is counted as a vote for the highest-ranked advancing candidate on that ballot. An advancing candidate is a candidate who has not been eliminated. This process of counting votes and eliminating the candidate with the fewest votes continues until two candidates remain. The candidate with the most votes is declared the winner.

Committee Amendment "A" (S-244)

This amendment is the minority report of the committee. The amendment removes the offices of United States Senator and United States Representative from the offices subject to the ranked-choice voting method prescribed by the bill.

This amendment adds an appropriations and allocations section to the bill.

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

CARRIED OVER

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

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

This bill was carried over to any special or regular session of the 126th Legislature by joint order, H.P. 1145, as amended by H-B (H-580) and H-C (H-582).

Joint Standing Committee on Veterans and Legal Affairs

LD 572 An Act Regarding Poker Runs Operated by Organizations Licensed To Conduct Games of Chance

PUBLIC 149

| <u>Sponsor(s)</u> | <u>Committee Report</u> | <u>Amendments Adopted</u> |
|-------------------|-------------------------|---------------------------|
| SHAW SAVIELLO | OTP-AM ONTP | H-178 |

This bill creates an exception to the bet limit for a game of chance that is part of a poker run conducted by a snowmobile club. The exception permits a snowmobile club to accept wagers of up to \$50 per hand. A snowmobile club is limited to two poker run events per year in which the club is permitted to accept the increased wagers.

Committee Amendment "A" (H-178)

This amendment, which is the majority report of the committee, allows for the increased bet limit for up to two poker run events per year for any licensed organization, not just snowmobile clubs.

Enacted Law Summary

Public Law 2013, chapter 149 creates an exception to the bet limit for a game of chance that is part of a poker run conducted by a charitable, non-profit organization. The exception permits the organization to accept wagers of up to \$50 per hand. A licensed organization is limited to two poker run events per year in which the organization is permitted to accept the increased wagers.

LD 573 RESOLUTION, Proposing an Amendment to the Constitution of Maine To Restrict the Voting Privileges of Persons Incarcerated for Murder or Class A Crimes

**ACCEPTED
MAJORITY
(ONTP) REPORT**

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

This resolution proposes an amendment to the Constitution of Maine that revokes the right of a person in a correctional facility of the State to vote if that person was convicted of a crime punishable by more than 10 years of imprisonment, which currently includes murder and Class A crimes.

Committee Amendment "A" (H-267)

This amendment, which was not adopted, incorporates a fiscal note.

LD 574 An Act To Amend the Laws Governing Reapportionment To Conform to the Constitution of Maine

PUBLIC 85

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

This bill conforms the statutory provisions of Maine law regarding reapportionment of congressional districts and county commissioner districts to reflect the reapportionment procedures specified in the Constitution of Maine.

Enacted Law Summary

Joint Standing Committee on Veterans and Legal Affairs

Public Law 2013, chapter 85 conforms the statutory provisions of Maine law regarding reapportionment of congressional districts and county commissioner districts to reflect the reapportionment procedures specified in the Constitution of Maine.

LD 575 An Act To Amend the Laws Relating to Radon Testing

ONTP

| <u>Sponsor(s)</u> | <u>Committee Report</u> | <u>Amendments Adopted</u> |
|-------------------------|-------------------------|---------------------------|
| LONGSTAFF WHITTEMORE | ONTP | |

This bill amends the laws concerning radon testing by:

1. Removing the requirement that all residential housing units be tested for radon by March 1, 2014 and every 10 years thereafter;
2. Allowing, instead of requiring, landlords and people acting on behalf of landlords to conduct radon tests and allowing tenants to conduct radon tests;
3. Applying the radon testing laws to only residential housing units located below the third story above the ground floor of a building;
4. Removing the requirement that a landlord or a person acting on the landlord's behalf provide notice of a positive radon test if a subsequent test indicates there is no presence of radon;
5. Allowing a landlord or person acting on behalf of a landlord to terminate a lease or tenancy at will following a test indicating the presence of radon as an alternative to mitigation; and
6. Requiring a landlord or a person acting on behalf of a landlord to provide notice to tenants that a common area of a building tests positive for radon. If there is no presence of radon in a residential housing unit a tenant may use the common area at the tenant's discretion.

See related bill, LD 328, An Act Relating to Radon Testing and Disclosure to Tenants, which was enacted as Public Law 2013, chapter 324.

LD 592 An Act To Amend the Laws Dealing with the Purchase of Wine Online

ONTP

| <u>Sponsor(s)</u> | <u>Committee Report</u> | <u>Amendments Adopted</u> |
|-------------------|-------------------------|---------------------------|
| BEAVERS TUTTLE | ONTP | |

Current law allows a person to purchase wine online from a winery that has obtained a wine direct shipper license from the State.

This bill expands the law so that a person can purchase wine online from a wine retailer as long as the wine retailer has obtained a wine direct shipper license. The bill also exempts a wine retailer or winery that qualifies for a wine direct shipper license and agrees to ship no more than 100 bottles into the State in a calendar year from the \$200 application fee.

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LD 606 An Act To Amend the Law Concerning Landlord and Tenant Relationships ONTP

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

This bill, which is a concept draft pursuant to Joint Rule 208, proposes to change the duties and obligations placed on landlords and tenants in order to simplify the requirements for security deposits and leases in order to improve the landlord-tenant relationship.

LD 607 An Act To Make an Employee Who Sells Alcoholic Beverages or Tobacco to a Minor Responsible for Paying the Fine ONTP

| <u>Sponsor(s)</u> | <u>Committee Report</u> | <u>Amendments Adopted</u> |
|---------------------|-------------------------|---------------------------|
| AYOTTE THIBODEAU | ONTP | |

This bill amends the laws concerning sales of tobacco and alcohol to minors by removing the liability of an employer who did not have knowledge of an employee's violation.

LD 608 An Act To Assist Small Distilleries That Also Have Off-premises Retail Licenses PUBLIC 359

| <u>Sponsor(s)</u> | <u>Committee Report</u> | <u>Amendments Adopted</u> |
|-------------------|-------------------------|---------------------------|
| BECK LACHOWICZ | OTP-AM ONTP | H-416 |

This bill permits a distiller that is an in-state manufacturer with a retail license to pay to the Department of Administrative and Financial Services, Bureau of Alcoholic Beverages and Lottery Operations the state liquor tax in an amount equal to the difference between the retail price of the manufacturer's product and the price that the alcohol bureau pays the manufacturer for the product rather than requiring the manufacturer to deliver the product to the state-designated warehouse and purchase it back for retail sale.

Committee Amendment "A" (H-416)

This amendment replaces the bill. The amendment allows certain small distilleries that are also licensed to sell their own spirits at a retail location for which they have a license to sell spirits for off-premises consumption to pay just the difference between the wholesale price and the discounted list price when purchasing spirits for sale at the distillery's retail location. Current law requires distilleries to sell the spirits to the Department of Administrative and Financial Services, Bureau of Alcoholic Beverages and Lottery Operations at the wholesale price and then purchase those spirits for sale at their retail location at the discounted list price established by the bureau.

Enacted Law Summary

Public Law 2013, chapter 359 allows certain small distilleries that are also licensed to sell their own spirits at a retail location for which they have a license to sell spirits for off-premises consumption to pay just the difference between the wholesale price and the discounted list price when purchasing spirits for sale at the distillery's retail location. Under the existing law, distilleries are required to sell the spirits to the Department of Administrative and Financial Services, Bureau of Alcoholic Beverages and Lottery Operations at the wholesale price and then purchase those spirits for sale at their retail location at the discounted list price established by the bureau.

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**LD 635 Resolve, Authorizing the Estate of Mitchell A. Kessler To Bring Suit
against the Department of Health and Human Services**

**LEAVE TO
WITHDRAW**

Sponsor(s)

BOYLE

Committee Report

Amendments Adopted

This resolve authorizes the estate of Mitchell A. Kessler to bring suit against the Department of Health and Human Services for damages in connection with actions taken by the Riverview Psychiatric Center and constitutes a waiver of the State's defense of sovereign immunity. The resolve provides that the maximum amount of any recovery is \$400,000, pursuant to the limits of the Maine Tort Claims Act.

LD 644 An Act To Strengthen the State's Wholesale Liquor Business

INDEF PP

Sponsor(s)

GOODALL

Committee Report

Amendments Adopted

This bill requires the State to continue the privatization of its wholesale liquor operations beyond the current contract, set to expire on June 30, 2014. This bill establishes new criteria a successful bidder must meet, including financial and technical capacity and capability, knowledge of the industry, historical performance, warehousing and delivery capacity and capability and the ability to preserve and enhance the value of the State's wholesale liquor business and maximize the financial return for the State.

This bill allows a bidder to choose between an initial payment of either \$200,000,000 or \$20,000,000 and to specify the amount of the guaranteed fixed annual payment, the formula for sharing revenue with the State during the life of the contract and the minimum profit margin the entity would need to be guaranteed to make its bid feasible. The maximum length of a contract is 10 years. This bill requires a nonrefundable application fee of \$25,000, which is used to defray the cost of reviewing and awarding the contract and requires appropriate financial assurances guaranteeing the availability of the funds. The bill repeals the section of law specifying the allocation of contract payments.

The bill allows the Commissioner of Administrative and Financial Services to extend the current wholesale liquor operations contract for one year if, following a public hearing, the commissioner determines that a new contract cannot be bid or ratified before the current contract expires or that inadequate bids have been received; a minimum payment of not less than \$34,000,000 to extend the contract for one year must be made.

The bill specifies a number of operational measures, including:

1. Specifying the minimum discount that the Department of Administrative and Financial Services, Bureau of Alcoholic Beverages and Lottery Operations or a person awarded the contract to operate the State's wholesale liquor business must provide to an agency liquor store, based on the retail price of the product; and
2. Requiring a wholesale liquor provider to comply with federal regulations regarding returned or damaged product.

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LD 649 An Act To Facilitate Consumer Taste Testings ONTP

| <u>Sponsor(s)</u> | <u>Committee Report</u> | <u>Amendments Adopted</u> |
|-------------------|-------------------------|---------------------------|
| TUTTLE LUCHINI | ONTP | |

This bill allows manufacturers and suppliers of alcoholic beverages and certain licensed sales representatives to purchase alcoholic beverages from a retail licensee's existing stock for use exclusively in a consumer taste-testing event held at the retail licensee's premises. The bill requires the retail licensee to apply a sticker to the product to be used for the taste-testing event stating that the product is for sampling purposes and not for resale. The bill requires the removal of the remainder of the sampled products from the retail licensee's premises following the taste-testing event.

LD 659 An Act To Reimburse Philip Wolley for Litigation Expenses Incurred in Connection with His Termination and Reinstatement as a State Employee DIED BETWEEN HOUSES

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

This bill makes a one-time General Fund appropriation of \$28,000 in fiscal year 2013-14 to reimburse Philip Wolley for litigation expenses incurred in connection with his termination and subsequent reinstatement as a state employee.

Committee Amendment "A" (H-109)

This amendment is the minority report of the committee. The amendment clarifies that the litigation expenses to be reimbursed are associated with Philip Wolley's defense against criminal charges that were ultimately dismissed by the Attorney General.

Committee Amendment "A" was not adopted. Although the bill was committed back to the committee in the Senate, the House accepted the majority "Ought Not to Pass" report.

LD 677 An Act Concerning Postsecondary Tuition Waivers for Children of Veterans PUBLIC 365

| <u>Sponsor(s)</u> | <u>Committee Report</u> | <u>Amendments Adopted</u> |
|-------------------|-------------------------|---------------------------|
| BOLAND CUSHING | OTP-AM OTP-AM | H-404 |

This bill amends the laws governing postsecondary tuition waivers for the children of certain veterans to provide that a child of a veteran has 6 academic years from the date of first entrance to complete 120 credit hours. Current law provides that a child of a veteran has six academic years from the date of first entrance to complete eight semesters.

It adds a learning disability or other hardship to the circumstances under which the Director of the Bureau of Maine Veterans' Services may waive the limit of six consecutive academic years to complete the specified number of credit hours.

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Committee Amendment "A" (H-404)

This amendment is the majority report of the committee. The bill gives a child of a veteran receiving a tuition waiver 6 academic years to complete 120 credit hours. The amendment provides that the six-year limit may be extended for up to two academic years for certain causes. The amendment requires state-supported postsecondary educational institutions and vocational schools to provide the Bureau of Maine Veterans' Services with a list of students receiving tuition waivers and the total number of credit hours provided subject to the waivers.

Committee Amendment "B" (H-405)

This amendment, which is the minority report of the committee and was not adopted, strikes any academic year limit by which a student of a veteran receiving a tuition waiver must complete 120 credit hours. The amendment also requires state-supported postsecondary educational institutions and vocational schools to provide the Bureau of Maine Veterans' Services with a list of students receiving tuition waivers and the total number of credit hours provided subject to the waivers.

This amendment adds an appropriations and allocations section to the bill.

Enacted Law Summary

Public Law 2013, chapter 365 provides that a child of a veteran receiving a tuition waiver has 6 academic years to complete 120 credit hours. It also provides that the six-year limit may be extended for up to two academic years for certain causes. Chapter 365 requires state-supported postsecondary educational institutions and vocational schools to provide the Bureau of Maine Veterans' Services with a list of students receiving tuition waivers and the total number of credit hours provided subject to the waivers.

LD 702 An Act To Strengthen the Law Prohibiting Black Market Wagering on Harness Horse Races ONTP

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

This bill amends the laws governing harness racing to stipulate that a person may not place a bet on a harness horse race with any person, firm or entity that is not licensed by the State Harness Racing Commission.

LD 704 An Act To Improve the Availability of Coupons in the State CARRIED OVER

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

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

This bill was carried over to any special or regular session of the 126th Legislature by joint order, H.P. 1145, as

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amended by H-B (H-580) and H-C (H-582).

LD 766 An Act To Define "Brand" under the Liquor Laws

CARRIED OVER

| <u>Sponsor(s)</u> | <u>Committee Report</u> | <u>Amendments Adopted</u> |
|---------------------|-------------------------|---------------------------|
| BEAULIEU MASON G | | |

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

This bill was carried over to any special or regular session of the 126th Legislature by joint order, H.P. 1145, as amended by H-B (H-580) and H-C (H-582).

**LD 767 An Act To Limit Contributions to Candidates for Maine Offices to
Maine Residents**

ONTP

| <u>Sponsor(s)</u> | <u>Committee Report</u> | <u>Amendments Adopted</u> |
|-------------------|-------------------------|---------------------------|
| MACDONALD W | ONTP | |

This bill limits contributions to candidates seeking to be elected as Governor, as a member of the Legislature or for a municipal office to contributions from state residents.

LD 768 An Act To Increase Access to Voter Lists

PUBLIC 330

| <u>Sponsor(s)</u> | <u>Committee Report</u> | <u>Amendments Adopted</u> |
|-------------------|-------------------------|---------------------------|
| CHIPMAN | OTP-AM | H-329 |

This bill requires municipal registrars to make available to an elected office holder during the office holder's term central voter registration system information concerning voters in a municipality the office holder represents in whole or in part.

Committee Amendment "A" (H-329)

This amendment replaces the bill. Under current law, parties, individuals or organizations can purchase reports of certain voter information for voter participation efforts directly related to a campaign.

This amendment provides that a person who has been elected to a state, federal, county or municipal office can also purchase such reports.

Enacted Law Summary

Public Law 2013, chapter 330 amends the law which provides that political parties, individuals or organizations can purchase reports of certain voter information for voter participation efforts directly related to a campaign. Chapter 330 provides that a person who has been elected to a state, federal, county or municipal office can also purchase such reports.

Joint Standing Committee on Veterans and Legal Affairs

LD 769 An Act To Create Fairness in Political Party Enrollment Deadlines

PUBLIC 173

| <u>Sponsor(s)</u> | <u>Committee Report</u> | <u>Amendments Adopted</u> |
|-------------------|-------------------------|---------------------------|
| CHIPMAN | OTP-AM | H-118 |

Under current law, a voter must file an application to change party enrollment prior to January 1st to be eligible to file a petition as a candidate in that year's election, except that a person who changes residence from one municipality to another may change the person's enrollment in a political party and file a petition for candidacy without adhering to any deadlines.

This bill removes that exception and extends the January 1st deadline to all prospective candidates.

Committee Amendment "A" (H-118)

This amendment replaces the bill. Current law requires a voter to have changed enrollment before January 1st in order to be eligible to file a petition as a candidate for nomination by primary election in that election year, except that a voter who changes residence from one municipality to another is waived from this requirement. The amendment removes this waiver.

Enacted Law Summary

Public Law 2013, chapter 173 amends the law that requires a voter to have changed enrollment before January 1st in order to be eligible to file a petition as a candidate for nomination by primary election in that election year, except that a voter who changes residence from one municipality to another is waived from this requirement. Chapter 173 removes this waiver.

LD 770 An Act Regarding Corporate and Other Entity Campaign Advertising Disclosure and Accountability

**ACCEPTED
MAJORITY
(ONTP) REPORT**

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

This bill requires specific disclosures by corporations and various groups that make political communications in print, by television and radio and through Internet media. The bill also requires corporations and groups making political contributions of more than \$2,000 to report regarding those contributions to the Commission on Governmental Ethics and Election Practices.

Committee Amendment "A" (H-379)

This amendment which was not adopted incorporates a fiscal note.

LD 859 An Act To Increase Ethics and Transparency in Government Service

PUBLIC 288

| <u>Sponsor(s)</u> | <u>Committee Report</u> | <u>Amendments Adopted</u> |
|-------------------|-------------------------|---------------------------|
| RUSSELL | OTP-AM | H-423 |

Joint Standing Committee on Veterans and Legal Affairs

This bill provides that a person may not be employed in a position for which the salary is subject to adjustment by the Governor or a major policy-influencing position if that person has engaged in lobbying in the previous 12 months. The bill prohibits a person from lobbying if that person has been employed in a position for which the salary is subject to adjustment by the Governor or a major policy-influencing position within the previous five years. The bill also expands the definition of "lobbying" to include attempting to influence regulatory or adjudicatory action by an executive branch agency.

Committee Amendment "A" (H-423)

This amendment removes the provision in the bill that states that a person may not be employed in a position for which the salary is subject to adjustment by the Governor or in a major policy-influencing position if that person has engaged in lobbying in the previous 12 months. The amendment clarifies the provision in the bill that prohibits a person from lobbying if that person has been employed in a position for which the salary is subject to adjustment by the Governor or in a major policy-influencing position within the previous five years. It reduces that waiting period to 12 months and makes the prohibition effective beginning January 1, 2015.

Enacted Law Summary

Public Law 2013, chapter 288 prohibits a person from engaging in activities that would require that person to register as a lobbyist or lobbyist associate if that person has been employed in a position for which the salary is subject to adjustment by the Governor or in a major policy-influencing position within the previous 12 months.

This prohibition takes effect January 1, 2015.

LD 860 An Act To Require That the Governor, Senators and Members of the ONTP
House of Representatives Be Elected by the Ranked-choice Voting
Method

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

This bill creates the ranked-choice voting method of determining winners in elections for Governor, Senators and Members of the House of Representatives. The method simulates the ballot counts that would occur if all voters participated in a series of run-off elections and allows a voter to rank candidates according to that voter's preferences. Each voter has only one vote and the ballot count is the same as would occur if voters participated in a series of run-off elections, with the candidate with the fewest votes eliminated after each round of counting.

There is an initial round of counting. If more than two candidates have received votes after the initial round, the Secretary of State conducts a second round. In this second round, the Secretary of State eliminates the candidate with the fewest votes. A ballot that ranks this eliminated candidate as the highest-ranked candidate is counted as a vote for the highest-ranked advancing candidate on that ballot. An advancing candidate is a candidate who has not been eliminated. This process of counting votes and eliminating the candidate with the fewest votes continues until 2 candidates remain. The candidate with the most votes is declared the winner.

The bill requires that the question of electing the Governor, Senators and Members of the House of Representatives in this manner go to a statewide referendum to have the citizens of the State vote on the matter.

Joint Standing Committee on Veterans and Legal Affairs

LD 921 **Resolve, Directing the Commission on Governmental Ethics and Election Practices To Improve Public Access to Campaign Finance Information** **ONTP**

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

This resolve requires the Commission on Governmental Ethics and Election Practices to make readily available a list of all publicly available campaign finance information for a candidate on the commission's publicly accessible website, including all sources of campaign funds for the candidate and all campaign expenditures made on the candidate's behalf by a third party.

LD 922 **An Act Regarding the Requirement That an Address Be Provided in Disclaimers on Political Radio Advertisements** **PUBLIC 362**

| <u>Sponsor(s)</u> | <u>Committee Report</u> | <u>Amendments Adopted</u> |
|-------------------|-------------------------|---------------------------|
| MOONEN | OTP-AM | H-403 |

This bill removes the requirement that a disclaimer on a political communication provide the address of the candidate, political committee or person who financed the communication if the communication is broadcast by radio.

Committee Amendment "A" (H-403)

This amendment provides that only the city and state of the address of the person that financed the communication needs to be stated on political communications that are broadcast by radio. The bill proposes to remove all address requirements for political communications broadcast by radio.

Enacted Law Summary

Public Law 2013, chapter 362 provides that when a political communication is made by radio, only the city and state of the address of the person who financed the communication is required to be stated as part of the disclaimer. For other political communications, such as print or television communications, the full address of the person who finance the communication is required.

LD 923 **An Act To Require Write-in Candidates To Be Listed on the Ballot Tabulation Report** **ONTP**

| <u>Sponsor(s)</u> | <u>Committee Report</u> | <u>Amendments Adopted</u> |
|--------------------|-------------------------|---------------------------|
| BROOKS GRATWICK | ONTP | |

The bill requires the Secretary of State to include in the tabulation and printing of election results the votes for any declared or undeclared write-in candidates.

Joint Standing Committee on Veterans and Legal Affairs

LD 924 An Act To Prevent a Conflict of Interest of the Secretary of State

ONTP

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

This bill provides that a person may not serve as Secretary of State while that person is conducting a campaign for elected office.

LD 938 An Act To Update the Laws Relating to the Tri-state Lotto and the Payment of Prizes to Minors

PUBLIC 352

| <u>Sponsor(s)</u> | <u>Committee Report</u> | <u>Amendments Adopted</u> |
|--------------------|-------------------------|---------------------------|
| LUCHINI MASON A | OTP-AM | H-429 |

This bill clarifies the payment of lottery prizes to minors. It fixes a discrepancy between the Maine Revised Statutes, Title 8, sections 403 and 415 and sets the minimum payout by the Tri-state Lotto Commission for prizes to not less than 50% of gross sales. It allows for the Tri-state Lotto Commission to implement both draw and instant ticket games as part of the Tri-state Lotto game portfolio. It adds language to require the Tri-state Lotto Commission to offset against winnings, in addition to debts for child support, debts related to unemployment overpayment and tax liabilities.

Committee Amendment "A" (H-429)

This amendment establishes a definition of "electronic funds transfer" as it applies to payment of prizes and provides that a check or electronic funds transfer may be provided to a minor's family or guardian for payment of a prize issued by the Maine State Lottery or under the Tri-state Lotto Compact. The amendment also clarifies the bill with regard to authorizing administration of instant ticket games under the Tri-state Lotto Compact by inserting appropriate references.

Enacted Law Summary

Public Law 2013, chapter 352 establishes a definition of "electronic funds transfer" as it applies to payment of prizes and provides that a check or electronic funds transfer may be provided to a minor's family or guardian for payment of a prize issued by the Maine State Lottery or under the Tri-state Lotto Compact. It allows for the Tri-state Lotto Commission to implement both draw and instant ticket games as part of the Tri-state Lotto game portfolio and provides clarification with regard to authorizing administration of instant ticket games under the Tri-state Lotto Compact by inserting appropriate references. Chapter 352 sets the minimum payout by the Tri-state Lotto Commission for prizes to not less than 50% of gross sales. Finally, chapter 352 adds language to require the Tri-state Lotto Commission to offset against winnings, in addition to debts for child support, debts related to unemployment overpayment and tax liabilities.

LD 941 An Act To Facilitate the Expansion of the State's Liquor Distribution System

PUBLIC 253

| <u>Sponsor(s)</u> | <u>Committee Report</u> | <u>Amendments Adopted</u> |
|-------------------|-------------------------|---------------------------|
| ALFOND RUSSELL | OTP-AM ONTP | S-148 |

Joint Standing Committee on Veterans and Legal Affairs

This bill authorizes the licensing of 12 agency liquor stores in a municipality with a population over 45,000 to provide larger municipalities with more equitable access to agency liquor stores.

Committee Amendment "A" (S-148)

The bill authorizes the licensing of 12 agency liquor stores in a municipality with a population over 45,000 to provide larger municipalities with more equitable access to agency liquor stores. This amendment amends the bill to allow up to 10 agency liquor stores in a municipality with a population over 50,000.

Enacted Law Summary

Public Law 2013, chapter 253 allows the licensing of up to 10 agency liquor stores in a municipality with a population over 50,000. Under existing law the maximum number of stores in a municipality is eight.

LD 981 An Act To Allow Candidate Name Tags on Election Day ONTP

| <u>Sponsor(s)</u> | <u>Committee Report</u> | <u>Amendments Adopted</u> |
|-----------------------|-------------------------|---------------------------|
| CASAVANT DUTREMBLE | ONTP | |

This bill allows a candidate who stands outside the polls, within the designated area, to wear a name tag.

LD 1001 An Act To Improve Laws Governing Financial Disclosure by Legislators PUBLIC 401
and Certain Public Employees and Public Access to Information
Disclosed

| <u>Sponsor(s)</u> | <u>Committee Report</u> | <u>Amendments Adopted</u> |
|-------------------|-------------------------|---------------------------|
| CAIN BEAULIEU | OTP-AM | S-166 S-346 HILL |

This bill amends financial disclosure laws applicable to Legislators and certain executive branch employees. Annual income received of \$2,000 or more must include a description as to the nature of the income. Ownership interests of 5% or more in business entities must be reported. Involvement as a responsible officer of a political party or political committee by the Legislator or executive employee, or by a member of that person's immediate family, must be reported. The Commission on Governmental Ethics and Election Practices is directed to adopt rules that require reporting of income of \$2,000 or more in ranges. Finally, Legislators and executive employees are required to file their disclosure statements electronically and those statements must be on a publicly accessible website.

Committee Amendment "A" (S-166)

This amendment clarifies language in the bill regarding the requirement that financial disclosure statements required to be filed by Legislators and certain executive branch employees be filed electronically and immediately placed on a publicly accessible website. It also allows the Commission on Governmental Ethics and Election Practices to assist with the electronic filing if necessary. The amendment removes the requirement that the commission adopt routine technical rules to provide for income disclosures to be sorted in ranges based on amount. Instead, the amendment directs the commission to make recommendations to the Joint Standing Committee on Veterans and Legal Affairs, which may then submit a bill directing the commission to adopt major substantive rules to provide for income disclosures to be reported in ranges based on income amount.

Senate Amendment "A" To Committee Amendment "A" (S-346)

Joint Standing Committee on Veterans and Legal Affairs

This amendment reduces the one-time General Fund appropriation to develop and implement a new electronic filing system.

Enacted Law Summary

Public Law 2013, chapter 401 amends financial disclosure laws applicable to Legislators and certain executive branch employees. Under chapter 401, annual income received of \$2,000 or more must include a description as to the nature of the income. Ownership interests of 5% or more in business entities must be reported. Involvement as a responsible officer of a political party or political committee by the Legislator or executive employee, or by a member of that person's immediate family, must be reported. Chapter 401 states that financial disclosure statements required to be filed by Legislators and certain executive branch employees must be filed electronically and immediately placed on a publicly accessible website. Further, it allows the Commission on Governmental Ethics and Election Practices to assist with the electronic filing if necessary. Finally, chapter 401 directs the commission to make recommendations to the Joint Standing Committee on Veterans and Legal Affairs, which may then submit a bill directing the commission to adopt major substantive rules to provide for income disclosures to be reported in ranges based on income amount.

LD 1008 An Act To Assess a Fine on a Person Who Provides Misinformation on a Primary Candidate's Consent Form ONTP

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

This bill provides that a person who intentionally or knowingly makes a false statement on a consent form filed by a candidate with a primary petition commits a civil violation for which a fine of \$2,000 may be adjudged.

LD 1023 An Act To Provide Transparency in Fund-raising by and Lobbying of a Governor-elect VETO SUSTAINED

| | | |
|-------------------|-------------------------|---------------------------|
| <u>Sponsor(s)</u> | <u>Committee Report</u> | <u>Amendments Adopted</u> |
| | OTP-AM ONTP | S-179 |

This bill authorizes a Governor-elect to establish a committee for the purpose of soliciting and accepting donations to finance inaugural activities or the Governor-elect's transition to office. Under the bill, the Governor-elect is required to appoint a treasurer to keep records of donations to the committee and file financial disclosure statements. A financial disclosure statement is due on February 15th after the Governor takes office. A donor giving more than \$100 must be disclosed. The committee is authorized to accept donations from the day after the election until January 31st following the election. The Governor-elect is prohibited from personally soliciting or accepting donations for the cost of the inauguration or the transition to office. Communicating with a Governor-elect or the Governor-elect's staff to influence legislation would constitute lobbying that is disclosed in reports to the Commission on Governmental Ethics and Election Practices.

This bill also amends the definition of "official in the legislative branch" to exclude candidates for or officers of the Legislature.

Committee Amendment "A" (S-179)

This amendment, which is the majority report of the Joint Standing Committee on Veterans and Legal Affairs, clarifies that a Governor-elect is required to form a committee if money is raised to fund transitional activities or inaugural events. It also requires the treasurer of that committee to keep an accounting and record of donors making

Joint Standing Committee on Veterans and Legal Affairs

donations in excess of \$10.

LD 1042 An Act To Increase the Opportunities for Taste-testing Events for On-premises Liquor Licensees

PUBLIC 258

| <u>Sponsor(s)</u> | <u>Committee Report</u> | <u>Amendments Adopted</u> |
|---------------------|-------------------------|---------------------------|
| TUTTLE LONGSTAFF | OTP-AM ONTP | S-225 |

This bill allows on-premises liquor licensees to conduct up to three taste-testing events per month for the general public under conditions and restrictions similar to those imposed upon off-premises licensees. The bill also allows in-state distillers, brewers and wineries and in-state and out-of-state wholesalers to provide or supply products for the on-premises licensee to use as taste-testing samples including by purchasing those products from the on-premises licensee's existing stock of inventory.

Committee Amendment "A" (S-225)

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

This amendment reduces the number of taste-testing events that may occur at an establishment licensed for on-premises consumption of alcoholic beverages from 3 per month to one per month. The amendment requires that liquor provided for taste-testing events be provided by the licensee and not a manufacturer or wholesaler. The amendment specifies that taste-testing events are to be in a designated area of the establishment and that liquor remaining after the event may be returned to the licensee's stock. Finally, the amendment authorizes the division within the Department of Public Safety responsible for liquor licensing and enforcement to adopt rules and requires the division to submit a report regarding the conduct of taste-testing events at on-premises establishments.

Enacted Law Summary

Public Law 2013, chapter 258 allows for taste testing of malt liquor, wine and spirits at an establishment licensed for on-premises consumption of alcoholic beverages. The number of public taste testings are limited to one per month at any one establishment. Liquor provided for a taste testing must be provided by the licensee and the tasting must be limited to a designated area. A sales representative, wholesale licensee or certificate of approval holder may participate in the event and provide food or snacks as well as promotional displays and novelty items of nominal value.

LD 1077 An Act To Amend the Maine Clean Election Act and Campaign Finance Laws

ONTP

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

This bill removes the contribution limits placed on a person who wishes to contribute directly to the campaign of a candidate for the Legislature, Governor or other state or local offices. It also amends the Maine Clean Election Act by eliminating the requirement that participants must collect \$5 qualifying contributions. In order to qualify for distributions from the Maine Clean Election Fund, a candidate need only be certified as a candidate under the process governed by the Secretary of State and by filing a declaration of intent by April 1st of the election year. Under this bill, a participating candidate under the Maine Clean Election Act is not prohibited from accepting contributions from outside sources. The bill also provides that there are not distinctions made between enrolled and unenrolled candidates under the Maine Clean Election Act.

Joint Standing Committee on Veterans and Legal Affairs

LD 1082 An Act Concerning the Ability of Off-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> |
|------------------------|-------------------------|---------------------------|
| GRATWICK CAMPBELL R | ONTP OTP | |

This bill allows off-premises retail liquor licensees to dispense liquor from kegs into sealable refillable containers for resale.

LD 1086 An Act To Revise the Laws Governing Candidate Nominations by Petition

ONTP

| <u>Sponsor(s)</u> | <u>Committee Report</u> | <u>Amendments Adopted</u> |
|------------------------|-------------------------|---------------------------|
| VALENTINO LONGSTAFF | ONTP | |

This bill amends the laws governing the nomination of candidates by petition in the following ways.

1. It provides that only an unenrolled voter may sign a nomination petition.
2. It changes the number of signatures that are required on a nomination petition for various offices to the same number that are required on a primary petition.
3. It changes the deadline for filing a nomination petition to March 15th, which is the same deadline as for a primary petition.

LD 1088 An Act To Provide Another Funding Source To Better Maintain Veterans' Cemeteries

ONTP

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

This bill requires 1.5% of net slot machine income from casinos to be credited to the Maine Veterans' Memorial Cemetery System Care Fund for the care and maintenance of veterans' graves within the Maine Veterans' Memorial Cemetery System.

LD 1104 An Act Relating to Sales of Lottery Tickets by Convenience Stores

ONTP

| <u>Sponsor(s)</u> | <u>Committee Report</u> | <u>Amendments Adopted</u> |
|----------------------|-------------------------|---------------------------|
| JACKSON T LUCHINI | ONTP | |

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

Joint Standing Committee on Veterans and Legal Affairs

This bill amends the laws governing the sale of lottery tickets.

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

CARRIED OVER

| <u>Sponsor(s)</u> | <u>Committee Report</u> | <u>Amendments Adopted</u> |
|--------------------|-------------------------|---------------------------|
| GIFFORD COLLINS | | |

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

This bill was carried over to any special or regular session of the 126th Legislature by joint order, H.P. 1145, as amended by H-B (H-580) and H-C (H-582).

LD 1210 An Act To Ensure Compliance with the Laws Governing Elections

PUBLIC 162

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

This bill authorizes the Commission on Governmental Ethics and Election Practices to undertake audits and investigations to determine whether a person has violated the laws governing campaign reporting and finances, the Maine Clean Election Act or commission rules. The bill also authorizes the Attorney General to apply on behalf of the commission to enforce compliance with a subpoena issued to a nonresident person.

Enacted Law Summary

Public Law 2013, chapter 162 authorizes the Commission on Governmental Ethics and Election Practices to undertake audits and investigations to determine whether a person has violated the laws governing campaign reporting and finances, the Maine Clean Election Act or commission rules. It also authorizes the Attorney General to apply on behalf of the commission to enforce compliance with a subpoena issued to a nonresident person.

LD 1211 An Act To Amend the Laws Concerning Absentee Ballots

**ACCEPTED
MAJORITY
(ONTP) REPORT**

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

This bill imposes the same deadline for the preparation of municipal absentee ballots as is imposed on state absentee ballots for municipal and state elections that are held on the same day to facilitate the mailing of absentee ballots.

Joint Standing Committee on Veterans and Legal Affairs

LD 1270 An Act To Provide That Innkeepers and Certain Campground Operators Are Not Considered Landlords

**PUBLIC 209
EMERGENCY**

| <u>Sponsor(s)</u> | <u>Committee Report</u> | <u>Amendments Adopted</u> |
|-------------------|-------------------------|---------------------------|
| VEROW THOMAS | OTP | |

This bill clarifies that an innkeeper and an operator of a membership campground are not considered landlords and that guests of hotels, motels, inns, lodges and membership campgrounds are not considered tenants pursuant to the landlord and tenant laws as provided in the Maine Revised Statutes, Title 14. The bill also allows an owner or manager of an inn, hotel, restaurant, lodging house, boardinghouse or camping area to request a law enforcement officer to remove a guest who is causing unnecessary disturbance to other persons, who is unwilling or unable to pay for the accommodations or services or who is damaging or destroying property belonging to the inn, hotel, restaurant, lodging house, boardinghouse or camping area.

Enacted Law Summary

Public Law 2013, chapter 209 clarifies that an innkeeper and an operator of a membership campground are not considered landlords and that guests of hotels, motels, inns, lodges and membership campgrounds are not considered tenants pursuant to the landlord and tenant laws as provided in the Maine Revised Statutes, Title 14. The law also allows an owner or manager of an inn, hotel, restaurant, lodging house, boardinghouse or camping area to request a law enforcement officer to remove a guest who is causing unnecessary disturbance to other persons, who is unwilling or unable to pay for the accommodations or services or who is damaging or destroying property belonging to the inn, hotel, restaurant, lodging house, boardinghouse or camping area.

Public Law 2013, chapter 209 was enacted as an emergency measure effective June 5, 2013.

LD 1271 An Act Regarding Penalties for Campaign Finance Reporting Violations and Late Filing by Political Action Committees and Ballot Question Committees

**VETO
SUSTAINED**

| <u>Sponsor(s)</u> | <u>Committee Report</u> | <u>Amendments Adopted</u> |
|-------------------|-------------------------|---------------------------|
| CAREY TUTTLE | OTP-AM | H-340 |

This bill makes the following changes to the laws governing campaign finance reporting and disclosure:

1. It authorizes a Governor-elect to establish a committee for the purpose of receiving donations to finance inaugural activities and the Governor-elect's transition into office and establishes requirements regarding disclosure and lobbying;
2. It authorizes the Commission on Governmental Ethics and Election Practices to impose enhanced penalties for campaign finance violations occurring shortly before election day;
3. It defines "bundled contribution" and requires that party committees and political action committees report the name, address and employer of each person reasonably known by the committee to have made a bundled contribution;
4. It requires that party committees, political action committees and ballot question committees report contributions aggregating \$1,000 or more and expenditures of \$1,000 or more made after the 14th day before the election and more than 24 hours before the day of the election within 24 hours of the contribution or expenditure;

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- 5. It requires that political action committees, party committees and ballot question committees report the name and office or the office sought of a Governor, constitutional officer, Legislator or a candidate for such an office who solicits contributions during the reporting period;
- 6. It defines "covered transfer" as a transfer of funds by a person, entity or political action committee when there is intent or understanding that the transfer is to be used to make or pay for an independent expenditure and requires that any entity making such a transfer report that transfer; and
- 7. It increases the penalties for failure to register as a political action committee or as a ballot question committee and for late filing of required reports.

Committee Amendment "A" (H-340)

The amendment replaces the bill. The amendment provides that in the last 28 days prior to an election, penalties for violations of campaign finance reporting by a person, candidate, political committee or political action committee may exceed the maximum established in law. If the violation occurs between 28 and 14 days prior to an election, the maximum penalties may be doubled. If the violation occurs less than 14 days prior to an election, the maximum penalties may be tripled. The amendment also increases the penalties applied to political action committees and ballot question committees when required reports are filed late.

LD 1272 An Act To Amend the Process of Tenant Eviction

ONTP

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

This bill prohibits a tenant from raising as a defense to an eviction action or withholding rent due to the existence of a breach of the implied warranty and covenant of habitability or a condition that endangers or materially impairs the health or safety of the tenant if the tenant did not notify the landlord or the landlord's agent of the breach or condition prior to receiving written notice from the landlord or the landlord's agent of the intention to terminate the tenancy.

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

CARRIED OVER

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

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

This bill was carried over to any special or regular session of the 126th Legislature by joint order, H.P. 1145, as amended by H-B (H-580) and H-C (H-582).

Joint Standing Committee on Veterans and Legal Affairs

LD 1299 An Act To Amend Campaign Finance Laws

PUBLIC 334

Sponsor(s)

Committee Report

Amendments Adopted

OTP-AM

S-191

This bill amends the laws governing campaign finance and the Commission on Governmental Ethics and Election Practices by:

1. Prohibiting ballot question committees from operating in the State unless they are registered with the commission;
2. Clarifying that the commission does not have jurisdiction over financial activities to influence federal elections;
3. Permitting clerks of municipalities that are governed by state campaign finance law to refer substantial violations to the commission for enforcement;
4. Increasing the exception from \$100 to \$250 for volunteers who purchase invitations, food or beverages over the course of volunteering for a candidate;
5. Increasing the exception from \$100 to \$350 for individuals who pay for their own travel costs when volunteering for candidates;
6. Broadening the exception for news media to cover cable television systems and for news media owned by relatives of a candidate except the candidate's spouse or domestic partner;
7. Treating a limited liability company the same way as a corporation for purposes of contribution limits;
8. Requiring reporting of financial activities by a person who is considering whether to become a candidate;
9. Clarifying candidates or treasurers may keep the records of the campaign as long as the treasurer or deputy treasurer has access to the records for the purpose of filing the campaign finance report;
10. Providing that the commission may hold the candidate and treasurer jointly responsible for penalties assessed to a candidate's campaign;
11. Exempting candidates who make payments of \$1,000 or more during the last 13 days before an election from reporting those expenditures within 24 hours if they related to overhead expenses or compensation paid to an employee who has received regular payments in previous campaign finance reports;
12. Requiring party committees to file a 24-hour report of contributions of more than \$5,000 they have received within 13 days before an election;
13. Imposing limits on the amounts of money or contributions of services received by candidates in a recount of an election except that no limitation would apply to party committees or caucus campaign committees and to attorneys, consultants or firms who are donating their services without reimbursement;
14. Extending the rebuttable presumption for communications made in the last 21 days before a primary election or the last 35 days before a general election, if the communication names or depicts a clearly identified candidate;

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15. Permitting the commission to adopt procedures for electronic filing of independent expenditures;
16. Clarifying the time period for rebuttable presumption in special elections;
17. Permitting the commission to send late-filing penalty correspondence by regular mail, rather than certified mail;
18. Requiring political action committees to designate a principal officer who would be jointly responsible with the treasurer for overall compliance of the committee;
19. Requiring the treasurer, principal officer and primary decision maker of a political action committee to file a written acknowledgment stating they are jointly responsible for compliance;
20. Requiring individuals who resign as treasurer, principal officer or primary decision maker of a political action committee to submit a written statement to the commission;
21. Requiring political action committees to use a single account in a financial institution to deposit all contributions and make all expenditures;
22. Setting out the duties and liabilities of the treasurer and principal officer of a political action committee;
23. Requiring a statement of the name and address of the person who made or financed the communication on any paid communication costing more than \$500 that expressly advocates for or against a ballot question;
24. Requiring political action committees that spend more than \$25,000 to influence an election to keep account statements for 4 years;
25. Increasing potential fines for not providing a complete and accurate political action committee registration statement from \$250 to \$2,500;
26. Authorizing the commission to assess a fine of \$2,500 for failing to keep required records as long as the commission considers mitigating circumstances; and
27. Clarifying that a treasurer or deputy treasurer of a Maine Clean Election Act candidate must file the financial report for the candidate.

Committee Amendment "A" (S-191)

This amendment adds a provision to the bill to allow candidates to enter financial transactions related to required campaign finance reports in an electronic reporting system or on paper forms. It specifies that a candidate's treasurer or deputy treasurer is required to file the complete campaign finance reports. The amendment also adds provisions allowing the Commission on Governmental Ethics and Election Practices to hold the candidate and treasurer, and deputy treasurer, if applicable, responsible for penalties related to filing of campaign finance reports.

Enacted Law Summary

Public Law 2013, chapter 334 amends the laws governing campaign finance and the Commission on Governmental Ethics and Election Practices by:

1. Prohibiting ballot question committees from operating in the State unless they are registered with the commission;
2. Clarifying that the commission does not have jurisdiction over financial activities to influence federal elections;
3. Permitting clerks of municipalities that are governed by state campaign finance law to refer substantial violations

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to the commission for enforcement;

4. Increasing the exception from \$100 to \$250 for volunteers who purchase invitations, food or beverages over the course of volunteering for a candidate;
5. Increasing the exception from \$100 to \$350 for individuals who pay for their own travel costs when volunteering for candidates;
6. Broadening the exception for news media to cover cable television systems and for news media owned by relatives of a candidate except the candidate's spouse or domestic partner;
7. Treating a limited liability company the same way as a corporation for purposes of contribution limits;
8. Requiring reporting of financial activities by a person who is considering whether to become a candidate;
9. Clarifying candidates or treasurers may keep the records of the campaign as long as the treasurer or deputy treasurer has access to the records for the purpose of filing the campaign finance report;
10. Providing that the commission may hold the candidate and treasurer jointly responsible for penalties assessed to a candidate's campaign;
11. Exempting candidates who make payments of \$1,000 or more during the last 13 days before an election from reporting those expenditures within 24 hours if they related to overhead expenses or compensation paid to an employee who has received regular payments in previous campaign finance reports;
12. Requiring party committees to file a 24-hour report of contributions of more than \$5,000 they have received within 13 days before an election;
13. Imposing limits on the amounts of money or contributions of services received by candidates in a recount of an election except that no limitation would apply to party committees or caucus campaign committees and to attorneys, consultants or firms who are donating their services without reimbursement;
14. Extending the rebuttable presumption for communications made in the last 21 days before a primary election or the last 35 days before a general election, if the communication names or depicts a clearly identified candidate;
15. Permitting the commission to adopt procedures for electronic filing of independent expenditures;
16. Clarifying the time period for rebuttable presumption in special elections;
17. Permitting the commission to send late-filing penalty correspondence by regular mail, rather than certified mail;
18. Requiring political action committees to designate a principal officer who would be jointly responsible with the treasurer for overall compliance of the committee;
19. Requiring the treasurer, principal officer and primary decision maker of a political action committee to file a written acknowledgment stating they are jointly responsible for compliance;
20. Requiring individuals who resign as treasurer, principal officer or primary decision maker of a political action committee to submit a written statement to the commission;
21. Requiring political action committees to use a single account in a financial institution to deposit all contributions and make all expenditures;

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- 22. Setting out the duties and liabilities of the treasurer and principal officer of a political action committee;
- 23. Requiring a statement of the name and address of the person who made or financed the communication on any paid communication costing more than \$500 that expressly advocates for or against a ballot question;
- 24. Requiring political action committees that spend more than \$25,000 to influence an election to keep account statements for 4 years;
- 25. Increasing potential fines for not providing a complete and accurate political action committee registration statement from \$250 to \$2,500;
- 26. Authorizing the commission to assess a fine of \$2,500 for failing to keep required records as long as the commission considers mitigating circumstances;
- 27. Clarifying that a treasurer or deputy treasurer of a Maine Clean Election Act candidate must file the financial report for the candidate; and
- 28. Specifying that a candidate's treasurer or deputy treasurer is required to file the complete campaign finance reports while adding provisions allowing the Commission on Governmental Ethics and Election Practices to hold the candidate and treasurer, and deputy treasurer, if applicable, responsible for penalties related to filing of campaign finance reports.

LD 1306 An Act To Enhance Voter Registration for Persons with Disabilities

**VETO
SUSTAINED**

| <u>Sponsor(s)</u> | <u>Committee Report</u> | <u>Amendments Adopted</u> |
|----------------------|-------------------------|---------------------------|
| PATRICK LONGSTAFF | OTP-AM | S-182 |

This bill adds state agencies, including agencies that provide services to persons with disabilities, to the list of agencies where voter registration services must be made available. It specifies which services must be made available at these agencies and prohibits certain actions by persons who provide these services that would improperly influence a person's registration decisions.

Committee Amendment "A" (S-182)

This amendment clarifies references to state agencies that are required under the National Voter Registration Act to accept voter registrations and clarifies that these agencies are not limited to assisting people with disabilities.

LD 1309 An Act To Strengthen the Maine Clean Election Act and Restrict Participation to Legislative Candidates

CARRIED OVER

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

This bill makes the following changes to the Maine Clean Election Act.

- 1. It doubles the current seed money cap for participating Senate and House candidates and removes the seed money requirement for gubernatorial candidates.

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2. It replaces the Maine Clean Election Act matching funds system with a system of optional supplemental funding for participating Maine Clean Election Act candidates who collect additional qualifying contributions.

3. It also establishes new baseline initial distribution amounts.

Committee Amendment "A" (S-156)

This amendment clarifies that the distributions from the Maine Clean Election Fund established by this bill are for the 2014 election cycle and that the Commission on Governmental Ethics and Election Practices will use those distributions to make determinations on future distributions in accordance with the guidelines established in existing law that direct the commission to consider spending in the 2 previous elections and the Consumer Price Index.

This amendment also reduces the number of additional qualifying contributions that will allow for distributions to candidates for Senate from \$5,000 for every 45 additional qualifying contributions to \$5,000 for every 30 additional qualifying contributions.

The amendment also adds an appropriations and allocations section.

This bill was committed to the Joint Standing Committee on Appropriations and Financial Affairs and carried over to any special or regular session of the 126th Legislature by joint order, H.P. 1145 as amended by H-B (H-580) and H-C (H-582).

LD 1317 An Act Related to Rent Escrow

**LEAVE TO
WITHDRAW**

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

This bill allows a tenant to place rent owed into an escrow account if the tenant's rental unit has a condition that endangers or materially impairs the health or safety of the tenant and the landlord fails to remedy the condition. If the tenant and landlord cannot agree to a remedy of an unhealthful or unsafe condition of a rental unit after the tenant has placed the rent into an escrow account, either side may bring an action in District Court to determine whether an unhealthful or unsafe condition of the rental unit exists. If a court rules for the tenant, the court may order funds to be disbursed from the escrow account to remedy the unhealthful or unsafe condition with those funds and administrative fees subtracted from the amount of rent the tenant owes the landlord.

This bill also removes the ability of a tenant to repair a dangerous condition that the landlord has failed to repair after notice and deduct the cost of the repair from the tenant's rent.

**LD 1318 An Act To Clarify the Law Regarding Advertising Signs outside
Premises Licensed To Sell Alcohol**

PUBLIC 207

| <u>Sponsor(s)</u> | <u>Committee Report</u> | <u>Amendments Adopted</u> |
|-------------------|-------------------------|---------------------------|
| TUTTLE LUCHINI | OTP-AM | S-129 |

This bill clarifies a provision limiting the number of advertising signs a person licensed to sell liquor may have outside of the licensed premises by allowing one sign in addition to the state agency liquor store sign.

Committee Amendment "A" (S-129)

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that number's percentage of the total number of votes cast for the office.

This bill requires a run-off election between the 2 candidates who received the largest number of votes when no candidate received more than 50% of the total number of votes cast in an election. The person who receives the larger number of votes in the run-off election is declared the winner.

**LD 1415 Resolve, To Amend the Rules Governing Events at Clubs with a License RESOLVE 71
To Sell Alcohol for On-premises Consumption with Catering Privileges**

| <u>Sponsor(s)</u> | <u>Committee Report</u> | <u>Amendments Adopted</u> |
|--------------------|-------------------------|---------------------------|
| THOMAS SOCTOMAH | OTP-AM ONTP | S-268 |

This resolve directs the Department of Public Safety to amend its rules to allow a member of an organization renting a club licensed for on-premises consumption of alcohol with catering privileges for a prearranged function to purchase tickets at the door of the club for the prearranged function from 24 hours prior to the function until the termination of the function.

Committee Amendment "A" (S-268)

This amendment, which is the majority report, directs the Department of Public Safety to amend its rules to allow a group holding an event at a club licensed for on-premises consumption of alcohol with catering privileges to sell tickets at the door to members of that group at the time of the event. It also adds a reporting requirement regarding events held in accordance with the rule.

Enacted Law Summary

Resolve 2013, chapter 71 directs the Department of Public Safety to amend its rules to allow a group holding an event at a club licensed for on-premises consumption of alcohol with catering privileges to sell tickets at the door to members of that group at the time of the event. It also adds a reporting requirement regarding events held in accordance with the rule.

**LD 1422 An Act To Establish a Nonpartisan Primary and a Presidential Primary ONTP
Election System and Instant Run-off Voting for State and Federal
Candidates**

| <u>Sponsor(s)</u> | <u>Committee Report</u> | <u>Amendments Adopted</u> |
|----------------------|-------------------------|---------------------------|
| RYKERSON WOODBURY | ONTP | |

This bill amends the election laws to create a nonpartisan primary process.

The bill amends the presidential nomination process in the State. The bill requires the State to hold a presidential primary election if the state committee of a political party certifies that there is a contest among candidates for nomination as the presidential candidate of the party and that the committee has voted to conduct a presidential primary election. Under the bill, delegates to the national convention must be allocated in proportion with the candidate votes and the uncommitted votes cast in the presidential primary election of the party unless party rules provide otherwise.

The bill creates an instant run-off voting method of determining winners in elections for President of the United States, United States Senator, Representative to Congress, Governor, State Senator and State Representative beginning in 2014. The method simulates the ballot counts that would occur if all voters participated in a series of run-off elections and allows a voter to rank candidates according to that voter's preferences. Each voter has only

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one vote and the ballot count is the same as would occur if voters participated in a series of run-off elections, with the candidate with the fewest votes eliminated after each round of counting.

There is an initial round of counting. If more than 2 candidates have received votes after the initial round, the Secretary of State conducts an instant run-off round. In this instant run-off round, the Secretary of State eliminates the candidate with the fewest votes. A ballot that ranks this eliminated candidate as the highest-ranked candidate is counted as a vote for the highest-ranked advancing candidate on that ballot. An advancing candidate is a candidate who has not been eliminated. This process of counting votes and eliminating the candidate with the fewest votes continues until 2 candidates remain. The candidate with the most votes is declared the winner.

The bill also removes the requirement that a voter must file an application to change party enrollment prior to January 1st to be eligible to file a petition as a candidate in that election year.

LD 1447 An Act To Grow the Maine Economy by Promoting Maine's Small Breweries and Wineries

PUBLIC 351

| <u>Sponsor(s)</u> | <u>Committee Report</u> | <u>Amendments Adopted</u> |
|-------------------|-------------------------|---------------------------|
| ALFOND LIBBY N | OTP-AM | S-224 |

This bill sets the number of special taste-testing festival licenses statewide at five per year, and requires four of the five licenses to be issued to a trade association that represents breweries or wineries. The bill allows small breweries and wineries from other states to participate in special taste-testing festivals.

This bill increases the fee for a special taste-testing festival license from \$10 to \$50 per day of the festival and clarifies that the event, rather than a participant, is licensed.

Committee Amendment "A" (S-224)

This amendment strikes the bill and instead expands the number of special taste-testing festival licenses that may be issued to five annually. The amendment increases the license fee for the special taste-testing events to \$50. The amendment also corrects a cross-reference in existing law.

Enacted Law Summary

Public Law 2013, chapter 351 expands the number of special taste-testing festival licenses that may be issued from one to five annually. It also increases the license fee for the special taste-testing events to \$50.

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

CARRIED OVER

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

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

This bill was carried over to any special or regular session of the 126th Legislature by joint order, H.P. 1145, as amended by H-B (H-580) and H-C (H-582).

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**LD 1504 Resolve, Directing the Adjutant General of the State To Ensure the
Maine Code of Military Justice Addresses Sexual Trauma in the
Military**

RESOLVE 66

| <u>Sponsor(s)</u> | <u>Committee Report</u> | <u>Amendments Adopted</u> |
|----------------------|-------------------------|---------------------------|
| VALENTINO RUSSELL | OTP-AM | S-189 |

This resolve directs the Adjutant General of the State to conduct an assessment of the Maine Code of Military Justice and other provisions of Maine law that deal with military personnel to ensure that these laws are comparable to federal laws in addressing the adequate investigation, prosecution and adjudication of sexual assault by members of the Maine National Guard and the appropriate treatment of Maine National Guard members who are victims of sexual assault.

Committee Amendment "A" (S-189)

This amendment adds clarifying language to refer to state active duty personnel in or attached to the Maine National Guard.

Enacted Law Summary

Resolve 2013, chapter 66 directs the Adjutant General of the State to conduct an assessment of the Maine Code of Military Justice and other provisions of Maine law that deal with military personnel to ensure that these laws are comparable to federal laws in addressing the adequate investigation, prosecution and adjudication of sexual assault by members of the Maine National Guard and the appropriate treatment of Maine National Guard members who are victims of sexual assault.

LD 1518 An Act Concerning Liquor Licensing Laws for Holders of 2 Licenses

PUBLIC 344

| <u>Sponsor(s)</u> | <u>Committee Report</u> | <u>Amendments Adopted</u> |
|-------------------|-------------------------|---------------------------|
| GOODALL BERRY | OTP-AM ONTP | S-245 |

Current law prohibits a portion of a premise to be licensed as an off-premise retail licensee and the remaining portion of the same premise to be licensed as a Class A restaurant unless there is not public access between the two premises and the licensee maintains separate records, supplies and inventory for each licensed premise.

This bill removes those restrictions.

Committee Amendment "A" (S-245)

This amendment replaces the bill. The amendment allows premises to be issued a separate license for the on-premises consumption of malt liquor and wine in the same location where the person is licensed to sell liquor for off-premises consumption as long as the two licensed areas are separated by a wall or barrier that allows for only one controlled point of access between the two areas by patrons. The exception provided in this amendment is repealed September 30, 2015. The amendment also corrects a cross-reference.

Enacted Law Summary

Public Law 2013, chapter 344 allows retail premises to be issued a separate license for the on-premises consumption of malt liquor and wine in the same location where the person is licensed to sell liquor for off-premises consumption as long as the two licensed areas are separated by a wall or barrier that allows for only one controlled

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point of access between the two areas by patrons.

This exception to existing law provided by chapter 344 is repealed September 30, 2015.

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

| <u>Sponsor(s)</u> | <u>Committee Report</u> | <u>Amendments Adopted</u> |
|--------------------|-------------------------|---------------------------|
| SOCTOMAH TUTTLE | | |

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

This bill was carried over to any special or regular session of the 126th Legislature by joint order, H.P. 1145, as amended by H-B (H-580) and H-C (H-582).

LD 1543 Resolve, Regarding Legislative Review of Portions of Chapter 3: Maine Clean Election Act and Related Provisions, a Late-filed Major Substantive Rule of the Commission on Governmental Ethics and Election Practices VETO SUSTAINED

| <u>Sponsor(s)</u> | <u>Committee Report</u> | <u>Amendments Adopted</u> |
|-------------------|-------------------------|---------------------------|
| | OTP OTP-AM | H-538 LUCHINI |

This Resolve provides for legislative review of portions of Chapter 3: Maine Clean Election Act and Related Provisions, a major substantive rule of the Commission on Governmental Ethics and Election Practices that was filed outside the legislative rule acceptance period.

Committee Amendment "A" (H-463)

This amendment, which was not adopted and is the minority report of the Joint Standing Committee on Veterans and Legal Affairs, authorizes the adoption of portions of Chapter 3: Maine Clean Election Act and Related Provisions only if it is amended to prohibit the use of Maine Clean Election funds to pay for a post-primary election or post-general election party.

House Amendment "A" (H-538)

This amendment removes the emergency preamble and emergency clause.

Joint Standing Committee on Veterans and Legal Affairs

**LD 1546 An Act To Strengthen Maine's Hospitals, Increase Access to Health
Care and Provide for a New Spirits Contract**

**VETO
SUSTAINED**

Sponsor(s)

Committee Report

Amendments Adopted

OTP
OTP-AM

S-108 JACKSON T

This bill is presented pursuant to Joint Order 2011, S.P. 496, authorizing the Joint Standing Committee on Veterans and Legal Affairs to report out a bill regarding the wholesale spirits contract.

Part A repeals current law that allows for transfer of the State's wholesale liquor business through July 1, 2014. Part A directs the Commissioner of Administrative and Financial Services to develop a request for proposals through the competitive bid process to award two contracts, one for the operation of the State's wholesale liquor business encompassing spirits administration and warehousing and distribution and one for spirits trade marketing. Part A also increases the discount rate at which agency liquor stores purchase spirits for retail sale from the current minimum of 9% of list price to 12% as of July 1, 2014. Part A allows the waiver of a licensing requirement in the event that a retailer with more than five agency liquor stores in this State is purchased or control is transferred to another company not in this State as long as the purchasing or controlling company has held a license to sell beer and wine in another state for at least one year.

Part B authorizes the bond bank, with the written approval of the Governor, to issue liquor operation revenue bonds in an amount up to \$188,500,000. Part B establishes two funds, the Health Care Liability Retirement Fund and the Liquor Operation Revenue Fund. The Health Care Liability Retirement Fund is funded with the revenue from the sale of the bonds and used to pay debts owed by the State for services provided by health care providers prior to December 1, 2012; anything in excess of the amount owed is transferred to the Liquor Operation Revenue Fund. The Liquor Operation Revenue Fund is funded by revenue from the management of wholesale liquor activities; such revenue will be used to pay the principal and interest of the liquor operation revenue bonds as those amounts become due.

During fiscal years 2014-15, 2015-16 and 2016-17, any excess revenue up to a set amount is transferred to the General Fund to offset the amounts included in budgeted General Fund revenue from liquor sales and operations and to offset additional General Fund costs for liquor enforcement activities; after those transfers in those fiscal years and for the rest of the bond repayment period, excess revenue over the set amount, up to \$7,000,000 per year, is transferred to the Department of Health and Human Services and the Department of Environmental Protection for revolving loan funds for drinking water systems and wastewater treatment, and, if the amount transferred for those loans is limited for federal matching funds purposes, any remainder is transferred to the Department of Transportation for construction of highways and bridges. Any excess funds retained by the Maine Municipal Bond Bank during the bond repayment period must be transferred to the Maine Budget Stabilization Fund immediately upon retirement of the bonds. Following the retirement of the bonds, excess revenue is also transferred to the Maine Budget Stabilization Fund.

Part C expands medical coverage under the MaineCare program to adults who qualify under federal law with incomes up to 133% of the nonfarm income official poverty line, with the 5% federal income adjustment for family size, and qualifies Maine to receive federal funding for 100% of the cost of coverage for members who enroll under the expansion. Adults who will be eligible are those 21 to 64 years of age beginning January 1, 2014 and adults 19 and 20 years of age beginning October 1, 2019.

Part D requires the Commissioner of Health and Human Services to take all steps necessary to secure an enhanced federal match rate for services provided to the MaineCare childless adult waiver population and to report to the Joint Standing Committee on Appropriations and Financial Affairs and the Joint Standing Committee on Health and

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Human Services by November 1, 2013 on these efforts.

Part E requires the Commissioner of Health and Human Services, the Commissioner of Corrections and the Executive Director of the State Board of Corrections to evaluate the impact of the MaineCare expansion on programs and services that do not currently receive Federal Medical Assistance percentage matching funds or do not qualify for enhanced Federal Medical Assistance percentage matching funds under the federal Patient Protection and Affordable Care Act, with the goal of identifying and maximizing General Fund savings. Part E requires a report by March 1, 2014 to the Joint Standing Committee on Appropriations and Financial Affairs, the Joint Standing Committee on Health and Human Services and the Joint Standing Committee on Criminal Justice and Public Safety on the amount of General Fund savings resulting from the MaineCare expansion. The report must include the amount of savings realized during fiscal year 2013-14 by service area or program and the amount of savings projected to be achieved during the remainder of that fiscal year and during fiscal year 2014-15. Part E requires the State Budget Officer to calculate the amount of savings that applies against each General Fund account for all departments and agencies from savings associated with the MaineCare expansion and to transfer the amounts by financial order upon the approval of the Governor. It requires the State Controller to transfer any remaining savings to the MaineCare Stabilization Fund. Part E requires the State Budget Officer to provide a report of the transferred amounts to the Joint Standing Committee on Appropriations and Financial Affairs no later than March 1, 2014.

Part F provides funding for positions in the Department of Health and Human Services, Bureau of Family Independence.

Part G removes the administration of the sale of fortified wine by the State, beginning July 1, 2014.

Committee Amendment "A" (S-96)

This amendment, which was not adopted, is the minority amendment to the bill reported out of the Joint Standing Committee on Veterans and Legal Affairs regarding the wholesale spirits contract.

This amendment removes those parts of the bill related to MaineCare expansion.

Senate Amendment "C" (S-108)

This amendment, which was not adopted, removes the emergency preamble and emergency clause.

LD 1548 An Act To Support Maine Businesses by Authorizing Certain Brewing Partnerships

**PUBLIC 345
EMERGENCY**

| <u>Sponsor(s)</u> | <u>Committee Report</u> | <u>Amendments Adopted</u> |
|-------------------|-------------------------|---------------------------|
| ALFOND | OTP-AM | S-252 |

This bill clarifies that the laws governing the transfer of liquor licenses do not apply to alternating brewery proprietorships regulated by the United States Department of the Treasury, Alcohol and Tobacco Tax and Trade Bureau.

Committee Amendment "A" (S-252)

This amendment replaces the bill. The amendment establishes a license for a tenant brewer, which is a brewer that produces malt liquor at the manufacturing facility of another licensed brewer. A tenant brewer is licensed simply for the production of malt liquor and is not granted privileges extended to the host brewer, such as operation of an on-site retail store or offering on-site taste-testing for the public. Under the amendment, a host brewer may have only one tenant brewer operating at its facility. The amendment also clarifies that tenant brewers are authorized to take part in beer and wine taste-tasting festivals. The amendment adds an emergency preamble and emergency

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clause to the bill.

Enacted Law Summary

Public Law 2013, chapter 345 establishes a license for a tenant brewer, which is a brewer that produces malt liquor at the manufacturing facility of another licensed brewer. A tenant brewer is licensed simply for the production of malt liquor and is not granted privileges extended to the host brewer, such as operation of an on-site retail store or offering on-site taste-testing for the public. Under chapter 345, a host brewer may have only one tenant brewer operating at its facility. Chapter 345 also clarifies that tenant brewers are authorized to take part in beer and wine taste-tasting festivals.

Public Law 2013, chapter 345 was enacted as an emergency measure effective June 24, 2013.

LD 1558 An Act To Provide Property Tax Relief by Expanding Gaming Opportunities

DIED BETWEEN HOUSES

Sponsor(s)

MCCABE

Committee Report

Amendments Adopted

This bill was acted upon without reference to committee.

This bill allows the Gambling Control Board to accept an application for a casino operator license to operate slot machines and table games at a casino from a person who is licensed to operate a commercial track that conducted harness racing with pari-mutuel wagering on more than 25 days during calendar year 2002 and at which the operation of a casino at the commercial track is approved by the voters of the municipality and county in which the commercial track to be licensed is located by referendum election held at any time after December 31, 2002. Except for an interim period after licensure, the casino must be located in a building adjacent to and that provides a prominent view of the racing oval with a hotel that includes at least 115 guest rooms. 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 fee for this license is \$5,000,000 and the licensee must make a prepayment of money that otherwise would be required to be distributed from slot machine revenue in the amount of \$50,000,000, which must be deposited in the General Fund. The limit on the number of slot machines that may be registered in the State is raised from 3,000 to 4,500.

The bill establishes the Property Tax Relief Fund. Allocations from the fund must be made to provide property tax relief and may include, but are not limited to, allocations to state-municipal revenue sharing, the Disproportionate Tax Burden Fund and the Maine Residents Property Tax Program, also known as the Circuit Breaker Program.

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

1. One percent for the administrative expenses of the Gambling Control Board and for the Gambling Addiction Prevention and Treatment Fund;
2. Eight percent to supplement harness racing purses;
3. Two percent to the Sire Stakes Fund;
4. Three percent to the Agricultural Fair Support Fund;

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5. Two percent to the municipality in which the slot machines are located;
6. Three percent to the county in which the slot machines are located;
7. One percent to the municipalities that abut the municipality in which the slot machines are located;
8. One percent to the Fund to Stabilize Off-track Betting Facilities; and
9. Eighteen percent to the Property Tax Relief Fund.

The casino operator must distribute 16% of net table game income as follows:

1. Ten percent to the Property Tax Relief Fund;
2. Two percent for the administrative expenses of the Gambling Control Board and for gambling addiction counseling services;
3. Two percent to the municipality in which the table games are located;
4. One percent to the municipalities that abut the municipality in which the table games are located; and
5. One percent to the county in which the table games are located.

Joint Standing Committee on Veterans and Legal Affairs

SUBJECT INDEX

Alcoholic Beverages

Enacted

| | | |
|----------------|--|---------------------------------|
| LD 15 | An Act To Amend the Authorized Hours during Which Liquor May Be Sold and Purchased | PUBLIC 240 |
| LD 216 | An Act To Extend the Hours for the Sale of Liquor on Sunday When St. Patrick's Day Is on a Sunday | PUBLIC 2 EMERGENCY |
| LD 333 | An Act To Amend the Provision of Law That Requires the Trade Name or Brand of Malt Liquor To Be Displayed in Full Sight of a Customer on a Faucet, Spigot or Dispensing Apparatus | PUBLIC 165 |
| LD 508 | An Act To Remove the Disqualification from Obtaining a Liquor License for a Law Enforcement Officer Who Does Not Directly Benefit Financially | PUBLIC 168 |
| LD 608 | An Act To Assist Small Distilleries That Also Have Off-premises Retail Licenses | PUBLIC 359 |
| LD 941 | An Act To Facilitate the Expansion of the State's Liquor Distribution System | PUBLIC 253 |
| LD 1042 | An Act To Increase the Opportunities for Taste-testing Events for On-premises Liquor Licensees | PUBLIC 258 |
| LD 1318 | An Act To Clarify the Law Regarding Advertising Signs outside Premises Licensed To Sell Alcohol | PUBLIC 207 |
| LD 1415 | Resolve, To Amend the Rules Governing Events at Clubs with a License To Sell Alcohol for On-premises Consumption with Catering Privileges | RESOLVE 71 |
| LD 1447 | An Act To Grow the Maine Economy by Promoting Maine's Small Breweries and Wineries | PUBLIC 351 |
| LD 1518 | An Act Concerning Liquor Licensing Laws for Holders of 2 Licenses | PUBLIC 344 |
| LD 1548 | An Act To Support Maine Businesses by Authorizing Certain Brewing Partnerships | PUBLIC 345 EMERGENCY |

Not Enacted

| | | |
|---------------|--|--------------------------------|
| LD 24 | An Act To Reduce the Number of Labels of Wine a Retailer Must Stock To Conduct a Wine Tasting | DIED BETWEEN HOUSES |
| LD 185 | An Act To Increase the Discount Rate on Alcoholic Beverages Sold by Agency Liquor Stores | ONTP |
| LD 239 | An Act To Improve the Return to the State on the Sale of Spirits and To Provide a Source of Payment for Maine's Hospitals | INDEF PP |
| LD 592 | An Act To Amend the Laws Dealing with the Purchase of Wine Online | ONTP |
| LD 607 | An Act To Make an Employee Who Sells Alcoholic Beverages or Tobacco to a Minor Responsible for Paying the Fine | ONTP |
| LD 644 | An Act To Strengthen the State's Wholesale Liquor Business | INDEF PP |
| LD 649 | An Act To Facilitate Consumer Taste Testings | ONTP |
| LD 704 | An Act To Improve the Availability of Coupons in the State | CARRIED OVER |

Alcoholic Beverages

Not Enacted

| | | |
|---------|--|------------------------|
| LD 766 | An Act To Define "Brand" under the Liquor Laws | CARRIED OVER |
| LD 1082 | An Act Concerning the Ability of Off-premises Liquor Licensees To Dispense Liquor in Sealed Refillable Containers | MAJORITY (ONTP) REPORT |
| LD 1258 | An Act To Amend the Laws Governing the Relationship between Alcoholic Beverage Wholesalers and Certificate of Approval Holders | LEAVE TO WITHDRAW |
| LD 1546 | An Act To Strengthen Maine's Hospitals, Increase Access to Health Care and Provide for a New Spirits Contract | VETO SUSTAINED |

Beano and Games of Chance

Enacted

| | | |
|---------|---|------------|
| LD 151 | An Act To Allow 2 Eligible Organizations To Jointly Hold a Game of Beano or Bingo | PUBLIC 305 |
| LD 329 | An Act To Reduce the Licensing Fee for Certain Tournament Games | PUBLIC 306 |
| LD 572 | An Act Regarding Poker Runs Operated by Organizations Licensed To Conduct Games of Chance | PUBLIC 149 |
| LD 1355 | An Act To Increase the Monetary Limit for Card Games | PUBLIC 218 |

Not Enacted

| | | |
|--------|--|------|
| LD 121 | An Act To Amend the Laws Governing the Operation of Tournament Games by Charitable Organizations | ONTP |
| LD 344 | An Act To Amend the Licensing Requirements for Beano Halls Leased by Veterans' Organizations | ONTP |

Campaign Finance and Maine Clean Election Act

Enacted

| | | |
|---------|---|------------|
| LD 922 | An Act Regarding the Requirement That an Address Be Provided in Disclaimers on Political Radio Advertisements | PUBLIC 362 |
| LD 1299 | An Act To Amend Campaign Finance Laws | PUBLIC 334 |

Not Enacted

| | | |
|--------|--|------------------------|
| LD 110 | An Act To Limit Political Contributions by Public Employee Labor Unions | MAJORITY (ONTP) REPORT |
| LD 408 | An Act To Require a Copy of Communications To Be Filed with Independent Expenditure Reports | ONTP |
| LD 410 | An Act To Revise the Maine Clean Election Act Regarding Participation in Political Action Committees | MAJORITY (ONTP) REPORT |
| LD 767 | An Act To Limit Contributions to Candidates for Maine Offices to Maine Residents | ONTP |
| LD 770 | An Act Regarding Corporate and Other Entity Campaign Advertising Disclosure and Accountability | MAJORITY (ONTP) REPORT |
| LD 921 | Resolve, Directing the Commission on Governmental Ethics and Election Practices To Improve Public Access to Campaign Finance Information | ONTP |

Campaign Finance and Maine Clean Election Act

Not Enacted

| | | |
|---------|--|-------------------|
| LD 1023 | An Act To Provide Transparency in Fund-raising by and Lobbying of a Governor-elect | VETO SUSTAINED |
| LD 1077 | An Act To Amend the Maine Clean Election Act and Campaign Finance Laws | ONTP |
| LD 1271 | An Act Regarding Penalties for Campaign Finance Reporting Violations and Late Filing by Political Action Committees and Ballot Question Committees | VETO SUSTAINED |
| LD 1309 | An Act To Strengthen the Maine Clean Election Act and Restrict Participation to Legislative Candidates | CARRIED OVER |
| LD 1494 | An Act To Alter the Distribution of Maine Clean Election Act Funds | CARRIED OVER |
| LD 1543 | Resolve, Regarding Legislative Review of Portions of Chapter 3: Maine Clean Election Act and Related Provisions, a Late-filed Major Substantive Rule of the Commission on Governmental Ethics and Election Practices | VETO SUSTAINED |

Campaign Practices

Not Enacted

| | | |
|---------|---|------|
| LD 174 | An Act To Prohibit the Placement of Political Signs within 25 Feet of a Cemetery or Burial Site | ONTP |
| LD 1008 | An Act To Assess a Fine on a Person Who Provides Misinformation on a Primary Candidate's Consent Form | ONTP |

Claims Against the State

Not Enacted

| | | |
|--------|---|------------------------|
| LD 635 | Resolve, Authorizing the Estate of Mitchell A. Kessler To Bring Suit against the Department of Health and Human Services | LEAVE TO WITHDRAW |
| LD 659 | An Act To Reimburse Philip Wolley for Litigation Expenses Incurred in Connection with His Termination and Reinstatement as a State Employee | DIED BETWEEN HOUSES |

Defense, Veterans and Emergency Management

Enacted

| | | |
|---------|---|------------|
| LD 241 | An Act To Amend Certain Laws Governing the Bureau of Maine Veterans' Services | PUBLIC 237 |
| LD 242 | An Act To Improve the Military Bureau Laws | PUBLIC 251 |
| LD 1504 | Resolve, Directing the Adjutant General of the State To Ensure the Maine Code of Military Justice Addresses Sexual Trauma in the Military | RESOLVE 66 |

Elections

Enacted

| | | |
|--------|--|------------|
| LD 504 | An Act To Amend the Election Laws and Other Related Laws | PUBLIC 131 |
| LD 574 | An Act To Amend the Laws Governing Reapportionment To Conform to the Constitution of Maine | PUBLIC 85 |
| LD 768 | An Act To Increase Access to Voter Lists | PUBLIC 330 |
| LD 769 | An Act To Create Fairness in Political Party Enrollment Deadlines | PUBLIC 173 |

Not Enacted

Elections

Not Enacted

| | | |
|---------|--|------------------------|
| LD 214 | An Act To Require Registered Voter Lists To Be Provided to Candidates for Legislative Office | ONTP |
| LD 320 | An Act To Ensure the Integrity of the Election Process | ONTP |
| LD 511 | An Act To Implement the National Popular Vote for President | CARRIED OVER |
| LD 518 | An Act To Establish Ranked-choice Voting in the State | MAJORITY (ONTP) REPORT |
| LD 860 | An Act To Require That the Governor, Senators and Members of the House of Representatives Be Elected by the Ranked-choice Voting Method | ONTP |
| LD 923 | An Act To Require Write-in Candidates To Be Listed on the Ballot Tabulation Report | ONTP |
| LD 924 | An Act To Prevent a Conflict of Interest of the Secretary of State | ONTP |
| LD 981 | An Act To Allow Candidate Name Tags on Election Day | ONTP |
| LD 1086 | An Act To Revise the Laws Governing Candidate Nominations by Petition | ONTP |
| LD 1211 | An Act To Amend the Laws Concerning Absentee Ballots | MAJORITY (ONTP) REPORT |
| LD 1219 | An Act To Establish a Run-off Process for the Election of the Governor, United States Senator or United States Representative | ONTP |
| LD 1358 | An Act To Amend the Election Laws To Require a Run-off Election for Governor | ONTP |
| LD 1422 | An Act To Establish a Nonpartisan Primary and a Presidential Primary Election System and Instant Run-off Voting for State and Federal Candidates | ONTP |

Gambling

Not Enacted

| | | |
|---------|---|------|
| LD 1104 | An Act Relating to Sales of Lottery Tickets by Convenience Stores | ONTP |
|---------|---|------|

Governmental Ethics and Election Practices

Enacted

| | | |
|---------|---|------------|
| LD 1210 | An Act To Ensure Compliance with the Laws Governing Elections | PUBLIC 162 |
|---------|---|------------|

Harness Racing and Off-track Betting

Not Enacted

| | | |
|--------|---|--------------|
| LD 471 | An Act To Preserve and Ensure Equitable Funding of Maine's Commercial Racetracks | INDEF PP |
| LD 519 | An Act To Establish Advance Deposit Wagering for Harness Racing | CARRIED OVER |
| LD 702 | An Act To Strengthen the Law Prohibiting Black Market Wagering on Harness Horse Races | ONTP |

Landlord/Tenant Laws

Enacted

Landlord/Tenant Laws

Enacted

| | | |
|---------|---|-------------------------|
| LD 328 | An Act Relating to Radon Testing and Disclosure to Tenants | PUBLIC 324 |
| LD 1270 | An Act To Provide That Innkeepers and Certain Campground Operators Are Not Considered Landlords | PUBLIC 209 EMERGENCY |

Not Enacted

| | | |
|---------|---|----------------------|
| LD 459 | An Act To Amend the Law Concerning a Landlord's Right To Inspect Property | ONTP |
| LD 575 | An Act To Amend the Laws Relating to Radon Testing | ONTP |
| LD 606 | An Act To Amend the Law Concerning Landlord and Tenant Relationships | ONTP |
| LD 1272 | An Act To Amend the Process of Tenant Eviction | ONTP |
| LD 1317 | An Act Related to Rent Escrow | LEAVE TO WITHDRAW |

Legislative Ethics

Enacted

| | | |
|---------|--|------------|
| LD 184 | An Act To Enhance Transparency in Government by Implementing a Waiting Period for Legislators before They May Register as Lobbyists | PUBLIC 129 |
| LD 1001 | An Act To Improve Laws Governing Financial Disclosure by Legislators and Certain Public Employees and Public Access to Information Disclosed | PUBLIC 401 |

Not Enacted

| | | |
|---------|---|----------|
| LD 69 | An Act To Strengthen Financial Disclosure Laws for the Legislative and Executive Branches of State Government | ONTP |
| LD 349 | An Act To Strengthen Maine's Ethics Laws and Improve Public Access to Information | ONTP |
| LD 1222 | Resolve, To Create a Task Force on Maine's Ethics and Transparency Laws | INDEF PP |

Lobbying and Lobbyists

Enacted

| | | |
|--------|--|------------|
| LD 859 | An Act To Increase Ethics and Transparency in Government Service | PUBLIC 288 |
|--------|--|------------|

Lottery

Enacted

| | | |
|--------|---|------------|
| LD 938 | An Act To Update the Laws Relating to the Tri-state Lotto and the Payment of Prizes to Minors | PUBLIC 352 |
|--------|---|------------|

Slot Machines and Gambling

Enacted

| | | |
|--------|---|-------------------------|
| LD 169 | An Act To Provide Revenue to Veterans' Organizations and the Maine Veterans' Memorial Cemetery System Care Fund from Table Game Revenue | PUBLIC 128 EMERGENCY |
| LD 350 | An Act To Amend the Laws Governing Gambling | PUBLIC 212 EMERGENCY |
| LD 510 | An Act To Ensure Equity in Funding to State Postsecondary Institutions of Higher Learning | PUBLIC 118 |

Not Enacted

| | | |
|-------|--|--------------|
| LD 31 | An Act To Increase Gaming Opportunities for Charitable Fraternal and Veterans' Organizations | CARRIED OVER |
|-------|--|--------------|

Slot Machines and Gambling

Not Enacted

| | | |
|---------|---|---------------------|
| LD 227 | An Act Concerning High-stakes Beano | CARRIED OVER |
| LD 428 | An Act To License Betting on Football Score Pools | ONTP |
| LD 433 | An Act To Provide Parity in Funding to the Maine Maritime Academy from Gaming | ONTP |
| LD 1111 | An Act To Allow Maine's Harness Racing Industry To Compete with Casino Gaming | CARRIED OVER |
| LD 1298 | An Act To Authorize the Houlton Band of Maliseet Indians To Operate a Casino in Aroostook County | CARRIED OVER |
| LD 1319 | An Act To Authorize a Federally Recognized Indian Tribe in the State To Benefit from the Operation of an Existing Casino | CARRIED OVER |
| LD 1520 | An Act To Allow the Passamaquoddy Tribe To Operate Slot Machines in Washington County in Conjunction with High-stakes Beano | CARRIED OVER |
| LD 1558 | An Act To Provide Property Tax Relief by Expanding Gaming Opportunities | DIED BETWEEN HOUSES |

Veterans

Enacted

| | | |
|--------|--|------------|
| LD 677 | An Act Concerning Postsecondary Tuition Waivers for Children of Veterans | PUBLIC 365 |
|--------|--|------------|

Not Enacted

| | | |
|---------|--|------|
| LD 213 | An Act To Provide Funding for Transportation of Veterans to Medical Facilities | ONTP |
| LD 343 | Resolve, Regarding the Transfer of Responsibility for Veterans' Cemetery Maintenance | ONTP |
| LD 1088 | An Act To Provide Another Funding Source To Better Maintain Veterans' Cemeteries | ONTP |

Voting

Not Enacted

| | | |
|---------|--|------------------------|
| LD 53 | An Act To Increase Voting Access | ONTP |
| LD 54 | An Act To Expand Access to Absentee Ballots | ONTP |
| LD 156 | RESOLUTION, Proposing an Amendment to the Constitution of Maine Concerning Early Voting and Voting by Absentee Ballot | CARRIED OVER |
| LD 573 | RESOLUTION, Proposing an Amendment to the Constitution of Maine To Restrict the Voting Privileges of Persons Incarcerated for Murder or Class A Crimes | MAJORITY (ONTP) REPORT |
| LD 1306 | An Act To Enhance Voter Registration for Persons with Disabilities | VETO SUSTAINED |

APPENDIX A

SESSION STATISTICS

OVERALL AND

BY INDIVIDUAL COMMITTEE

**126th LEGISLATURE
FIRST REGULAR SESSION**

Summary of Committee Actions

| | <u>Number</u> | <u>% of All Bills/Papers</u> |
|---|-----------------|---|
| I. BILLS AND PAPERS CONSIDERED | | |
| A. Bills referred to Committee | | |
| <i>Bills referred and voted out</i> | 1339 | 84.9% |
| <i>Bills Carried Over to next session</i> | 213 * | 13.5% |
| Total Bills referred | 1552 | 98.4% |
| B. Bills reported out by law or joint order and not referred back to committee | 5 | 0.3% |
| C. Bills introduced without reference | 17 | 1.1% |
| D. <u>Bills referred, but not reported out (LDs 239, 644, 1558)</u> | <u>3</u> | |
| Total Bills considered by Legislature | 1577 | 100.0% |
| E. Orders and Resolutions Referred to Committee | | |
| <i>Joint Study Orders</i> | 0 | |
| <i>Joint Resolutions/Orders referred and voted out (JUD)</i> | 1 | |
| <i>Orders and Resolutions Carried Over to next session (AFA)</i> | <u>1</u> | 0.1% |
| Total Orders and Resolutions Referred | 3 | 0.2% |
| II. BILLS AND PAPERS REPORTED OUT OF COMMITTEES | | |
| | <u>Number</u> | <u>% of All Committee Reports</u> |
| A. Unanimous committee reports | | |
| <i>Ought to Pass</i> | 119 | 8.9% |
| <i>Ought to Pass as Amended</i> | 363 | 27.0% |
| <i>Leave to Withdraw</i> | 22 | 1.6% |
| <i>Ought Not to Pass</i> | <u>482</u> | <u>35.9%</u> |
| Total unanimous reports | 986 | 73.4% |
| B. Divided committee reports | | |
| <i>Two-way reports</i> | 347 | 25.8% |
| <i>Three-way reports</i> | 11 | 0.8% |
| <i>Four-way reports</i> | 0 | <u>0.0%</u> |
| Total divided reports | 358 | 26.6% |
| Total Committee reports | 1344 ** | 86.2% |
| III. CONFIRMATION HEARINGS | 60 | N/A |
| IV. FINAL DISPOSITION | | |
| | <u>Number</u> | <u>% of All Bills/Rules</u> |
| A. Bills and Papers enacted or finally passed | | |
| <i>Joint Study Orders</i> | 4 | 0.0% |
| <i>Public laws</i> | 423 | 26.8% |
| <i>Private and Special Laws</i> | 18 | 1.1% |
| <i>Resolves</i> | 78 | 4.9% |
| <i>Constitutional Resolutions</i> | 0 | <u>0.0%</u> |
| Total Enacted or Finally Passed | 523 | 33.2% |
| B. Resolves to authorize major substantive rules | | |
| Rules authorized without legislative changes | 5 | 29.4% |
| Rules authorized with legislative changes | 7 | 41.2% |
| Rules carried over to next session | 4 | |
| <u>Rules not authorized by the Legislature</u> | <u>1</u> | <u>5.9%</u> |
| Total number of rules reviewed | 17 | 100.0% |
| C. Bills vetoed or held by Governor | | |
| <i>Vetoed over-ridden</i> | 5 | 0.3% |
| <i>Vetoed sustained</i> | 77 | 4.9% |
| <u>Held by the Governor</u> | <u>16</u> | <u>1.0%</u> |
| Total | 98 | 6.2% |

* Includes 48 bills reported out of various committees and subsequently committed to the AFA Committee and carried over; it also includes bills recommitted to committee of jurisdiction and carried over. To avoid double counting, these bills are counted as carried over and not as bills voted or reported out.

** Total committee reports does not include LD 815 that was voted by TAX Committee to be re-referred to VLA Committee, but was indefinitely postponed by the House and Seante.

**JOINT STANDING COMMITTEE ON
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> |
|---|---------------|--|---|
| A. Bills referred to Committee | | | |
| <i>Bills referred and voted out</i> | 58 | 90.6% | 3.7% |
| <i>Bills Carried Over to next session</i> | 6 * | 9.4% | 0.4% |
| Total Bills referred | 64 | 100.0% | 4.1% |
| B. Bills reported out by law or joint order and not referred back to committee | 0 | 0.0% | 0.0% |
| Total Bills considered by Committee | 64 | 100.0% | 4.1% |
| Orders and Resolutions referred to Committee | | | |
| <i>Joint Study Orders referred and voted out</i> | 0 | 0.0% | 0.0% |
| <i>Joint Resolutions referred and voted out</i> | 0 | 0.0% | 0.0% |
| <i>Orders and Resolutions Carried Over</i> | <u>0</u> | <u>0.0%</u> | <u>0.0%</u> |
| Total Orders and Resolutions Referred | 0 | 0.0% | 0.0% |
| | | % of this Committee's Reports | % of All Committee Reports |
| II. COMMITTEE REPORTS | <u>Number</u> | | |
| A. Unanimous committee reports | | | |
| <i>Ought to Pass</i> | 12 | 20.7% | 0.9% |
| <i>Ought to Pass as Amended</i> | 19 | 32.8% | 1.4% |
| <i>Leave to Withdraw</i> | 0 | 0.0% | 0.0% |
| <i>Ought Not to Pass</i> | 6 | 10.3% | 0.4% |
| Total unanimous reports | 37 | 63.8% | 2.8% |
| B. Divided committee reports | | | |
| <i>Two-way reports</i> | 18 | 31.0% | 1.3% |
| <i>Three-way reports</i> | 3 | 5.2% | 0.2% |
| <i>Four-way reports</i> | <u>0</u> | <u>0.0%</u> | <u>0.0%</u> |
| Total divided reports | 21 | 36.2% | 1.6% |
| Total committee reports | 58 | 90.6% | 4.3% |
| III. CONFIRMATION HEARINGS | 8 | N/A | N/A |
| | | % of Comm Bills/Papers | % of All Bills/Papers |
| IV. FINAL DISPOSITION | <u>Number</u> | | |
| A. Bills and Papers enacted or finally passed | | | |
| <i>Joint Study Orders</i> | 0 | 0.0% | 0.0% |
| <i>Public laws</i> | 28 | 43.8% | 1.8% |
| <i>Private and Special Laws</i> | 1 | 1.6% | 0.1% |
| <i>Resolves</i> | 7 | 10.9% | 0.4% |
| <i>Constitutional Resolutions</i> | <u>0</u> | <u>0.0%</u> | <u>0.0%</u> |
| Total Enacted or Finally Passed | 36 | 56.3% | 2.3% |
| B. Major substantive rules | | | |
| <i>Authorized without legislative changes</i> | 1 | 20.0% | 5.9% |
| <i>Authorized with legislative changes</i> | 1 | 20.0% | 5.9% |
| <i>Rules carried over to next session</i> | 3 | | |
| <i>Not authorized by the Legislature</i> | <u>0</u> | <u>0.0%</u> | <u>0.0%</u> |
| Total number of rules reviewed | 5 | 100.0% | 29.4% |
| C. Bills vetoed or held by Governor | | | |
| <i>Vetoed over-ridden</i> | 0 | 0.0% | 0.0% |
| <i>Vetoed sustained</i> | 2 | 3.1% | 0.1% |
| <i>Held by the Governor</i> | <u>2</u> | <u>3.1%</u> | <u>0.1%</u> |
| Total | 4 | 6.3% | 0.3% |

* 3 bills were voted out that were subsequently committed to the AFA Committee and carried over; to avoid double counting, these bills are not counted here; see numbers for AFA Committee.

**JOINT STANDING COMMITTEE ON
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> |
|---|---------------|--|---|
| A. Bills referred to Committee | | | |
| <i>Bills referred and voted out</i> | 4 | 4.0% | 0.3% |
| <u>Bills Carried Over to next session</u> | <u>96</u> * | <u>95.0%</u> | <u>6.1%</u> |
| Total Bills referred | 100 | 99.0% | 6.3% |
| B. Bills reported out by law or joint order and not referred back to committee | 1 | 1.0% | 0.1% |
| Total Bills considered by Committee | 101 | 100.0% | 6.4% |
| Orders and Resolutions referred to Committee | | | |
| <i>Joint Study Orders referred and voted out</i> | 0 | 0.0% | 0.0% |
| <i>Joint Resolutions referred and voted out</i> | 0 | 0.0% | 0.0% |
| <i>Orders and Resolutions Carried Over</i> | <u>1</u> | <u>100.0%</u> | <u>0.1%</u> |
| Total Orders and Resolutions Referred | 1 | 100.0% | 0.1% |
| | | % of this Committee's Reports | % of All Committee Reports |
| II. COMMITTEE REPORTS | <u>Number</u> | | |
| A. Unanimous committee reports | | | |
| <i>Ought to Pass</i> | 0 | 0.0% | 0.0% |
| <i>Ought to Pass as Amended</i> | 4 | 100.0% | 0.3% |
| <i>Leave to Withdraw</i> | 0 | 0.0% | 0.0% |
| <u>Ought Not to Pass</u> | <u>0</u> | <u>0.0%</u> | <u>0.0%</u> |
| Total unanimous reports | 4 | 100.0% | 0.3% |
| B. Divided committee reports | | | |
| <i>Two-way reports</i> | 0 | 0.0% | 0.0% |
| <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> |
| Total divided reports | 0 | 0.0% | 0.0% |
| Total committee reports | 4 | 3.9% | 0.3% |
| III. CONFIRMATION HEARINGS | 1 | N/A | N/A |
| | | % of Comm Bills/Papers | % of All Bills/Papers |
| IV. FINAL DISPOSITION | <u>Number</u> | | |
| A. Bills and Papers enacted or finally passed | | | |
| <i>Joint Study Orders</i> | 0 | 0.0% | 0.0% |
| <i>Public laws</i> | 3 | 3.0% | 0.2% |
| <i>Private and Special Laws</i> | 0 | 0.0% | 0.0% |
| <i>Resolves</i> | 0 | 0.0% | 0.0% |
| <u>Constitutional Resolutions</u> | <u>0</u> | <u>0.0%</u> | <u>0.0%</u> |
| Total Enacted or Finally Passed | 3 | 3.0% | 0.2% |
| B. Resolves to authorize major substantive rules | | | |
| 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> |
| Total number of rules reviewed | 0 | 0.0% | 0.0% |
| C. Bills vetoed or held by Governor | | | |
| <i>Vetoed over-ridden</i> | 1 | 1.0% | 0.1% |
| <i>Vetoed sustained</i> | 0 | 0.0% | 0.0% |
| <u>Held by the Governor</u> | <u>1</u> | <u>1.0%</u> | <u>0.1%</u> |
| Total | 2 | 2.0% | 0.1% |

* Includes 48 bills reported out of other committees and subsequently committed to AFA Committee and carried over.

**JOINT STANDING COMMITTEE ON
CRIMINAL JUSTICE AND PUBLIC SAFETY**

Summary of Committee Actions

| I. BILLS AND PAPERS CONSIDERED | <u>Number</u> | <u>% of Comm Activity</u> | <u>% of All Bills/Papers</u> |
|---|---------------|--|---|
| A. Bills referred to Committee | | | |
| <i>Bills referred and voted out</i> | 93 | 93.0% | 5.9% |
| <u><i>Bills Carried Over to next session</i></u> | <u>7</u> * | <u>7.0%</u> | <u>0.4%</u> |
| Total Bills referred | 100 | 100.0% | 6.3% |
| B. Bills reported out by law or joint order and not referred back to committee | 0 | 0.0% | 0.0% |
| Total Bills considered by Committee | 100 | 100.0% | 6.3% |
| Orders and Resolutions referred to Committee | | | |
| <i>Joint Study Orders referred and voted out</i> | 1 | 0.0% | 0.0% |
| <i>Joint Resolutions/Orders 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> |
| Total Orders and Resolutions Referred | 0 | 0.0% | 0.0% |
| | | % of this Committee's Reports | % of All Committee Reports |
| II. COMMITTEE REPORTS | <u>Number</u> | | |
| A. Unanimous committee reports | | | |
| <i>Ought to Pass</i> | 10 | 10.6% | 0.7% |
| <i>Ought to Pass as Amended</i> | 17 | 18.1% | 1.3% |
| <i>Leave to Withdraw</i> | 1 | 1.1% | 0.1% |
| <u><i>Ought Not to Pass</i></u> | <u>29</u> | <u>30.9%</u> | <u>2.2%</u> |
| Total unanimous reports | 57 | 60.6% | 4.2% |
| B. Divided committee reports | | | |
| <i>Two-way reports</i> | 37 | 39.4% | 2.8% |
| <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> |
| Total divided reports | 37 | 39.4% | 2.8% |
| Total committee reports | 94 | 94.0% | 7.0% |
| III. CONFIRMATION HEARINGS | 3 | N/A | N/A |
| | | % of Comm Bills/Papers | % of All Bills/Papers |
| IV. FINAL DISPOSITION | <u>Number</u> | | |
| A. Bills and Papers enacted or finally passed | | | |
| <i>Joint Study Orders</i> | 0 | 0.0% | 0.0% |
| <i>Public laws</i> | 31 | 31.0% | 2.0% |
| <i>Private and Special Laws</i> | 0 | 0.0% | 0.0% |
| <i>Resolves</i> | 1 | 1.0% | 0.1% |
| <u><i>Constitutional Resolutions</i></u> | <u>0</u> | <u>0.0%</u> | <u>0.0%</u> |
| Total Enacted or Finally Passed | 32 | 32.0% | 2.0% |
| B. Resolves to authorize major substantive rules | | | |
| 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> |
| Total number of rules reviewed | 0 | 0.0% | 0.0% |
| C. Bills vetoed or held by Governor | | | |
| <i>Vetoed over-ridden</i> | 0 | 0.0% | 0.0% |
| <i>Vetoed sustained</i> | 4 | 4.0% | 0.3% |
| <u><i>Held by the Governor</i></u> | <u>0</u> | <u>0.0%</u> | <u>0.0%</u> |
| Total | 4 | 4.0% | 0.3% |

* 1 bill was voted out that were subsequently committed to the AFA Committee and carried over; to avoid double counting, this bill is not counted here; see numbers for AFA Committee.

**JOINT STANDING COMMITTEE ON
EDUCATION AND CULTURAL AFFAIRS**

Summary of Committee Actions

| I. BILLS AND PAPERS CONSIDERED | <u>Number</u> | <u>% of Comm Activity</u> | <u>% of All Bills/Papers</u> |
|---|---------------|--|---|
| A. Bills referred to Committee | | | |
| <i>Bills referred and voted out</i> | 137 | 93.8% | 8.7% |
| <i>Bills Carried Over to next session</i> | 8 * | 5.5% | 0.5% |
| Total Bills referred | 145 | 99.3% | 9.2% |
| B. Bills reported out by law or joint order and not referred back to committee | 1 | 0.7% | 0.1% |
| Total Bills considered by Committee | 146 | 100.0% | 9.3% |
| Orders and Resolutions referred to Committee | | | |
| <i>Joint Study Orders referred and voted out</i> | 0 | 0.0% | 0.0% |
| <i>Joint Resolutions referred and voted out</i> | 0 | 0.0% | 0.0% |
| <i>Orders and Resolutions Carried Over</i> | <u>0</u> | <u>0.0%</u> | <u>0.0%</u> |
| Total Orders and Resolutions Referred | 0 | 0.0% | 0.0% |
| | | | |
| II. COMMITTEE REPORTS | <u>Number</u> | <u>% of this Committee's Reports</u> | <u>% of All Committee Reports</u> |
| A. Unanimous committee reports | | | |
| <i>Ought to Pass</i> | 7 | 5.1% | 0.5% |
| <i>Ought to Pass as Amended</i> | 46 | 33.3% | 3.4% |
| <i>Leave to Withdraw</i> | 7 | 5.1% | 0.5% |
| <i>Ought Not to Pass</i> | <u>51</u> | <u>37.0%</u> | <u>3.8%</u> |
| Total unanimous reports | 111 | 80.4% | 8.3% |
| B. Divided committee reports | | | |
| <i>Two-way reports</i> | 26 | 18.8% | 1.9% |
| <i>Three-way reports</i> | 1 | 0.7% | 0.1% |
| <i>Four-way reports</i> | <u>0</u> | <u>0.0%</u> | <u>0.0%</u> |
| Total divided reports | 27 | 19.6% | 2.0% |
| Total committee reports | 138 | 94.5% | 10.3% |
| | | | |
| III. CONFIRMATION HEARINGS | 9 | N/A | N/A |
| | | | |
| IV. FINAL DISPOSITION | <u>Number</u> | <u>% of Comm Bills/Papers</u> | <u>% of All Bills/Papers</u> |
| A. Bills and Papers enacted or finally passed | | | |
| <i>Joint Study Orders</i> | 0 | 0.0% | 0.0% |
| <i>Public laws</i> | 32 | 21.9% | 2.0% |
| <i>Private and Special Laws</i> | 2 | 1.4% | 0.1% |
| <i>Resolves</i> | 11 | 7.5% | 0.7% |
| <i>Constitutional Resolutions</i> | <u>0</u> | <u>0.0%</u> | <u>0.0%</u> |
| Total Enacted or Finally Passed | 45 | 30.8% | 2.9% |
| B. Resolves to authorize major substantive rules | | | |
| Rules authorized without legislative changes | 0 | 0.0% | 0.0% |
| Rules authorized with legislative changes | 2 | 66.7% | 11.8% |
| <u>Rules not authorized by the Legislature</u> | <u>1</u> | <u>33.3%</u> | <u>5.9%</u> |
| Total number of rules reviewed | 3 | 100.0% | 17.6% |
| C. Bills vetoed or held by Governor | | | |
| <i>Vetoed over-ridden</i> | 1 | 0.7% | 0.1% |
| <i>Vetoed sustained</i> | 14 | 9.6% | 0.9% |
| <u>Held by the Governor</u> | <u>3</u> | <u>2.1%</u> | <u>0.2%</u> |
| Total | 18 | 12.3% | 1.1% |

* 8 bills were voted out that were subsequently committed to the AFA Committee and carried over; to avoid double counting, these bills are not counted here; see numbers for AFA Committee. Also includes 2 bills voted out that were recommitted to the committee and carried over; to avoid double counting, these bills are counted as carried over and not as bills voted or reported out.

**JOINT STANDING COMMITTEE ON
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> |
|---|---------------|--|---|
| A. Bills referred to Committee | | | |
| <i>Bills referred and voted out</i> | 63 | 74.1% | 4.0% |
| <i><u>Bills Carried Over to next session</u></i> | <u>21</u> * | <u>24.7%</u> | <u>1.3%</u> |
| Total Bills referred | 84 | 98.8% | 5.3% |
| B. Bills reported out by law or joint order and not referred back to committee | 1 | 1.2% | 0.1% |
| Total Bills considered by Committee | 85 | 100.0% | 5.4% |
| Orders and Resolutions referred to Committee | | | |
| <i>Joint Study Orders referred and voted out</i> | 0 | 0.0% | 0.0% |
| <i>Joint Resolutions referred and voted out</i> | 0 | 0.0% | 0.0% |
| <i>Orders and Resolutions Carried Over</i> | <u>0</u> | <u>0.0%</u> | <u>0.0%</u> |
| Total Orders and Resolutions Referred | 0 | 0.0% | 0.0% |
| II. COMMITTEE REPORTS | <u>Number</u> | <u>% of this Committee's Reports</u> | <u>% of All Committee Reports</u> |
| A. Unanimous committee reports | | | |
| <i>Ought to Pass</i> | 6 | 9.4% | 0.4% |
| <i>Ought to Pass as Amended</i> | 22 | 34.4% | 1.6% |
| <i>Leave to Withdraw</i> | 2 | 3.1% | 0.1% |
| <i><u>Ought Not to Pass</u></i> | <u>29</u> | <u>45.3%</u> | <u>2.2%</u> |
| Total unanimous reports | 59 | 92.2% | 4.4% |
| B. Divided committee reports | | | |
| <i>Two-way reports</i> | 5 | 7.8% | 0.4% |
| <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> |
| Total divided reports | 5 | 7.8% | 0.4% |
| Total committee reports | 64 | 75.3% | 4.8% |
| III. CONFIRMATION HEARINGS | 3 | N/A | N/A |
| IV. FINAL DISPOSITION | <u>Number</u> | <u>% of Comm Bills/Papers</u> | <u>% of All Bills/Papers</u> |
| A. Bills and Papers enacted or finally passed | | | |
| <i>Joint Study Orders</i> | 0 | 0.0% | 0.0% |
| <i>Public laws</i> | 14 | 16.5% | 0.9% |
| <i>Private and Special Laws</i> | 8 | 9.4% | 0.5% |
| <i>Resolves</i> | 5 | 5.9% | 0.3% |
| <i><u>Constitutional Resolutions</u></i> | <u>0</u> | <u>0.0%</u> | <u>0.0%</u> |
| Total Enacted or Finally Passed | 27 | 31.8% | 1.7% |
| B. Resolves to authorize major substantive rules | | | |
| Rules authorized without legislative changes | 0 | 0.0% | 0.0% |
| Rules authorized with legislative changes | 1 | 50.0% | 5.9% |
| Rules carried over to next session | 1 | | |
| <i><u>Rules not authorized by the Legislature</u></i> | <u>0</u> | <u>0.0%</u> | <u>0.0%</u> |
| Total number of rules reviewed | 2 | 100.0% | 11.8% |
| C. Bills vetoed or held by Governor | | | |
| <i>Vetoed over-ridden</i> | 1 | 1.2% | 0.1% |
| <i>Vetoed sustained</i> | 1 | 1.2% | 0.1% |
| <i><u>Held by the Governor</u></i> | <u>0</u> | <u>0.0%</u> | <u>0.0%</u> |
| Total | 2 | 2.4% | 0.1% |

* 1 bill was voted out that was subsequently committed to the AFA Committee and carried over; to avoid double counting, this bill is not counted here; see numbers for AFA Committee.

**JOINT STANDING COMMITTEE ON
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> |
|---|---------------|--|---|
| A. Bills referred to Committee | | | |
| <i>Bills referred and voted out</i> | 56 | 93.3% | 3.6% |
| <i>Bills Carried Over to next session</i> | <u>4</u> | <u>6.7%</u> | <u>0.3%</u> |
| Total Bills referred | 60 | 100.0% | 3.8% |
| B. Bills reported out by law or joint order and not referred back to committee | 0 | 0.0% | 0.0% |
| Total Bills considered by Committee | 60 | 100.0% | 3.8% |
| Orders and Resolutions referred to Committee | | | |
| <i>Joint Study Orders referred and voted out</i> | 0 | 0.0% | 0.0% |
| <i>Joint Resolutions referred and voted out</i> | 0 | 0.0% | 0.0% |
| <i>Orders and Resolutions Carried Over</i> | <u>0</u> | <u>0.0%</u> | <u>0.0%</u> |
| Total Orders and Resolutions Referred | 0 | 0.0% | 0.0% |
| | | | |
| II. COMMITTEE REPORTS | <u>Number</u> | <u>% of this Committee's Reports</u> | <u>% of All Committee Reports</u> |
| A. Unanimous committee reports | | | |
| <i>Ought to Pass</i> | 5 | 8.9% | 0.4% |
| <i>Ought to Pass as Amended</i> | 14 | 25.0% | 1.0% |
| <i>Leave to Withdraw</i> | 1 | 1.8% | 0.1% |
| <i>Ought Not to Pass</i> | <u>12</u> | <u>21.4%</u> | <u>0.9%</u> |
| Total unanimous reports | 32 | 57.1% | 2.4% |
| B. Divided committee reports | | | |
| <i>Two-way reports</i> | 22 | 39.3% | 1.6% |
| <i>Three-way reports</i> | 2 | 3.6% | 0.1% |
| <i>Four-way reports</i> | <u>0</u> | <u>0.0%</u> | <u>0.0%</u> |
| Total divided reports | 24 | 42.9% | 1.8% |
| Total committee reports | 56 | 93.3% | 4.2% |
| III. CONFIRMATION HEARINGS | 1 | N/A | N/A |
| | | | |
| IV. FINAL DISPOSITION | <u>Number</u> | <u>% of Comm Bills/Papers</u> | <u>% of All Bills/Papers</u> |
| A. Bills and Papers enacted or finally passed | | | |
| <i>Joint Study Orders</i> | 0 | 0.0% | 0.0% |
| <i>Public laws</i> | 25 | 41.7% | 1.6% |
| <i>Private and Special Laws</i> | 0 | 0.0% | 0.0% |
| <i>Resolves</i> | 3 | 5.0% | 0.2% |
| <i>Constitutional Resolutions</i> | <u>0</u> | <u>0.0%</u> | <u>0.0%</u> |
| Total Enacted or Finally Passed | 28 | 46.7% | 1.8% |
| B. Resolves to authorize major substantive rules | | | |
| Rules authorized without legislative changes | 1 | 100.0% | 5.9% |
| Rules authorized with legislative changes | 0 | 0.0% | 0.0% |
| <i>Rules not authorized by the Legislature</i> | <u>0</u> | <u>0.0%</u> | <u>0.0%</u> |
| Total number of rules reviewed | 1 | 100.0% | 5.9% |
| C. Bills vetoed or held by Governor | | | |
| <i>Vetoed over-ridden</i> | 0 | 0.0% | 0.0% |
| <i>Vetoed sustained</i> | 4 | 6.7% | 0.3% |
| <i>Held by the Governor</i> | <u>0</u> | <u>0.0%</u> | <u>0.0%</u> |
| Total | 4 | 6.7% | 0.3% |

**JOINT STANDING COMMITTEE ON
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> |
|---|---------------|--|---|
| A. Bills referred to Committee | | | |
| <i>Bills referred and voted out</i> | 128 | 92.8% | 8.1% |
| <i><u>Bills Carried Over to next session</u></i> | <u>9</u> * | <u>6.5%</u> | <u>0.6%</u> |
| Total Bills referred | 137 | 99.3% | 8.7% |
| B. Bills reported out by law or joint order and not referred back to committee | 1 | 0.7% | 0.1% |
| Total Bills considered by Committee | 138 | 100.0% | 8.8% |
| Orders and Resolutions referred to Committee | | | |
| <i>Joint Study Orders referred and voted out</i> | 0 | 0.0% | 0.0% |
| <i>Joint Resolutions referred and voted out</i> | 0 | 0.0% | 0.0% |
| <i><u>Orders and Resolutions Carried Over</u></i> | <u>0</u> | <u>0.0%</u> | <u>0.0%</u> |
| Total Orders and Resolutions Referred | 0 | 0.0% | 0.0% |
| | | % of this Committee's Reports | % of All Committee Reports |
| II. COMMITTEE REPORTS | <u>Number</u> | | |
| A. Unanimous committee reports | | | |
| <i>Ought to Pass</i> | 16 | 12.4% | 1.2% |
| <i>Ought to Pass as Amended</i> | 39 | 30.2% | 2.9% |
| <i>Leave to Withdraw</i> | 0 | 0.0% | 0.0% |
| <i><u>Ought Not to Pass</u></i> | <u>35</u> | <u>27.1%</u> | <u>2.6%</u> |
| Total unanimous reports | 90 | 69.8% | 6.7% |
| B. Divided committee reports | | | |
| <i>Two-way reports</i> | 38 | 29.5% | 2.8% |
| <i>Three-way reports</i> | 1 | 0.8% | 0.1% |
| <i><u>Four-way reports</u></i> | <u>0</u> | <u>0.0%</u> | <u>0.0%</u> |
| Total divided reports | 39 | 30.2% | 2.9% |
| Total committee reports | 129 | 93.5% | 9.6% |
| III. CONFIRMATION HEARINGS | 0 | N/A | N/A |
| | | % of Comm Bills/Papers | % of All Bills/Papers |
| IV. FINAL DISPOSITION | <u>Number</u> | | |
| A. Bills and Papers enacted or finally passed | | | |
| <i>Joint Study Orders</i> | 0 | 0.0% | 0.0% |
| <i>Public laws</i> | 35 | 25.4% | 2.2% |
| <i>Private and Special Laws</i> | 0 | 0.0% | 0.0% |
| <i>Resolves</i> | 15 | 10.9% | 1.0% |
| <i><u>Constitutional Resolutions</u></i> | <u>0</u> | <u>0.0%</u> | <u>0.0%</u> |
| Total Enacted or Finally Passed | 50 | 36.2% | 3.2% |
| B. Resolves to authorize major substantive rules | | | |
| <i>Rules authorized without legislative changes</i> | 1 | 50.0% | 5.9% |
| <i>Rules authorized with legislative changes</i> | 1 | 50.0% | 5.9% |
| <i><u>Rules not authorized by the Legislature</u></i> | <u>0</u> | <u>0.0%</u> | <u>0.0%</u> |
| Total number of rules reviewed | 2 | 100.0% | 11.8% |
| C. Bills vetoed or held by Governor | | | |
| <i>Vetoed over-ridden</i> | 0 | 0.0% | 0.0% |
| <i>Vetoed sustained</i> | 15 | 10.9% | 1.0% |
| <i><u>Held by the Governor</u></i> | <u>3</u> | <u>2.2%</u> | <u>0.2%</u> |
| Total | 18 | 13.0% | 1.1% |

* 13 bills were voted out that were subsequently committed to the AFA Committee and carried over; to avoid double counting, these bills are not counted here; see numbers for AFA Committee. Also includes 1 bill that was recommitted to the committee and carried over; to avoid double counting, this bill was counted as carried over and not as bills voted or reported out.

**JOINT STANDING COMMITTEE ON
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> |
|---|---------------|--|---|
| A. Bills referred to Committee | | | |
| <i>Bills referred and voted out</i> | 67 | 88.2% | 4.2% |
| <u><i>Bills Carried Over to next session</i></u> | <u>9</u> * | <u>11.8%</u> | <u>0.6%</u> |
| Total Bills referred | 76 | 100.0% | 4.8% |
| B. Bills reported out by law or joint order and not referred back to committee | 0 | 0.0% | 0.0% |
| Total Bills considered by Committee | 76 | 100.0% | 4.8% |
| Orders and Resolutions referred to Committee | | | |
| <i>Joint Study Orders referred and voted out</i> | 0 | 0.0% | 0.0% |
| <i>Joint Resolutions referred and voted out</i> | 0 | 0.0% | 0.0% |
| <i>Orders and Resolutions Carried Over</i> | <u>0</u> | <u>0.0%</u> | <u>0.0%</u> |
| Total Orders and Resolutions Referred | 0 | 0.0% | 0.0% |
| II. COMMITTEE REPORTS | <u>Number</u> | <u>% of this Committee's Reports</u> | <u>% of All Committee Reports</u> |
| A. Unanimous committee reports | | | |
| <i>Ought to Pass</i> | 6 | 9.0% | 0.4% |
| <i>Ought to Pass as Amended</i> | 22 | 32.8% | 1.6% |
| <i>Leave to Withdraw</i> | 1 | 1.5% | 0.1% |
| <u><i>Ought Not to Pass</i></u> | <u>25</u> | <u>37.3%</u> | <u>1.9%</u> |
| Total unanimous reports | 54 | 80.6% | 4.0% |
| B. Divided committee reports | | | |
| <i>Two-way reports</i> | 13 | 19.4% | 1.0% |
| <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> |
| Total divided reports | 13 | 19.4% | 1.0% |
| Total committee reports | 67 | 88.2% | 5.0% |
| III. CONFIRMATION HEARINGS | 3 | N/A | N/A |
| IV. FINAL DISPOSITION | <u>Number</u> | <u>% of Comm Bills/Papers</u> | <u>% of All Bills/Papers</u> |
| A. Bills and Papers enacted or finally passed | | | |
| <i>Joint Study Orders</i> | 0 | 0.0% | 0.0% |
| <i>Public laws</i> | 26 | 34.2% | 1.6% |
| <i>Private and Special Laws</i> | 0 | 0.0% | 0.0% |
| <i>Resolves</i> | 2 | 2.6% | 0.1% |
| <u><i>Constitutional Resolutions</i></u> | <u>0</u> | <u>0.0%</u> | <u>0.0%</u> |
| Total Enacted or Finally Passed | 28 | 36.8% | 1.8% |
| B. Resolves to authorize major substantive rules | | | |
| 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> |
| Total number of rules reviewed | 0 | 0.0% | 0.0% |
| C. Bills vetoed or held by Governor | | | |
| <i>Vetoes over-ridden</i> | 0 | 0.0% | 0.0% |
| <i>Vetoes sustained</i> | 4 | 5.3% | 0.3% |
| <u><i>Held by the Governor</i></u> | <u>0</u> | <u>0.0%</u> | <u>0.0%</u> |
| Total | 4 | 5.3% | 0.3% |

* Includes 1 bill voted out that was recommitted to the committee and carried over; to avoid double counting, this bill is counted as carried over and not as bills voted or reported out.

**JOINT STANDING COMMITTEE ON
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> |
|---|---------------|--|---|
| A. Bills referred to Committee | | | |
| <i>Bills referred and voted out</i> | 94 | 96.9% | 6.0% |
| <i>Bills Carried Over to next session</i> | 3 | 3.1% | 0.2% |
| Total Bills referred | 97 | 100.0% | 6.2% |
| B. Bills reported out by law or joint order and not referred back to committee | | | |
| | 0 | 0.0% | 0.0% |
| Total Bills considered by Committee | 97 | 100.0% | 6.2% |
| Orders and Resolutions referred to Committee | | | |
| <i>Joint Study Orders referred and voted out</i> | 0 | 0.0% | 0.0% |
| <i>Joint Resolutions referred and voted out</i> | 0 | 0.0% | 0.0% |
| <i>Orders and Resolutions Carried Over</i> | <u>0</u> | <u>0.0%</u> | <u>0.0%</u> |
| Total Orders and Resolutions Referred | 0 | 0.0% | 0.0% |
| | | | |
| II. COMMITTEE REPORTS | <u>Number</u> | <u>% of this Committee's Reports</u> | <u>% of All Committee Reports</u> |
| A. Unanimous committee reports | | | |
| <i>Ought to Pass</i> | 8 | 8.5% | 0.6% |
| <i>Ought to Pass as Amended</i> | 20 | 21.3% | 1.5% |
| <i>Leave to Withdraw</i> | 1 | 1.1% | 0.1% |
| <i>Ought Not to Pass</i> | <u>36</u> | <u>38.3%</u> | <u>2.7%</u> |
| Total unanimous reports | 65 | 69.1% | 4.8% |
| B. Divided committee reports | | | |
| <i>Two-way reports</i> | 29 | 30.9% | 2.2% |
| <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> |
| Total divided reports | 29 | 30.9% | 2.2% |
| Total committee reports | 94 | 96.9% | 7.0% |
| | | | |
| III. CONFIRMATION HEARINGS | 3 | N/A | N/A |
| | | | |
| IV. FINAL DISPOSITION | <u>Number</u> | <u>% of Comm Bills/Papers</u> | <u>% of All Bills/Papers</u> |
| A. Bills and Papers enacted or finally passed | | | |
| <i>Joint Study Orders</i> | 0 | 0.0% | 0.0% |
| <i>Public laws</i> | 31 | 32.0% | 2.0% |
| <i>Private and Special Laws</i> | 0 | 0.0% | 0.0% |
| <i>Resolves</i> | 4 | 4.1% | 0.3% |
| <i>Constitutional Resolutions</i> | <u>0</u> | <u>0.0%</u> | <u>0.0%</u> |
| Total Enacted or Finally Passed | 35 | 36.1% | 2.2% |
| B. Resolves to authorize major substantive rules | | | |
| 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> |
| Total number of rules reviewed | 0 | 0.0% | 0.0% |
| C. Bills vetoed or held by Governor | | | |
| <i>Vetoed over-ridden</i> | 0 | 0.0% | 0.0% |
| <i>Vetoed sustained</i> | 2 | 2.1% | 0.1% |
| <i>Held by the Governor</i> | <u>1</u> | <u>1.0%</u> | <u>0.1%</u> |
| Total | 3 | 3.1% | 0.2% |

**JOINT STANDING COMMITTEE ON
JUDICIARY**

Summary of Committee Actions

| I. BILLS AND PAPERS CONSIDERED | <u>Number</u> | <u>% of Comm Activity</u> | <u>% of All Bills/Papers</u> |
|---|---------------|--|---|
| A. Bills referred to Committee | | | |
| <i>Bills referred and voted out</i> | 123 | 96.9% | 7.8% |
| <i><u>Bills Carried Over to next session</u></i> | <u>4</u> * | <u>3.1%</u> | <u>0.3%</u> |
| Total Bills referred | 127 | 100.0% | 8.1% |
| B. Bills reported out by law or joint order and not referred back to committee | 0 | 0.0% | 0.0% |
| Total Bills considered by Committee | 127 | 100.0% | 8.1% |
| Orders and Resolutions referred to Committee | | | |
| <i>Joint Study Orders referred and voted out</i> | 0 | 0.0% | 0.0% |
| <i>Joint Resolutions/Orders referred and voted out</i> | 1 | 100.0% | 0.1% |
| <i>Orders and Resolutions Carried Over</i> | <u>0</u> | <u>0.0%</u> | <u>0.0%</u> |
| Total Orders and Resolutions Referred | 1 | 100.0% | 0.1% |
| II. COMMITTEE REPORTS | <u>Number</u> | <u>% of this Committee's Reports</u> | <u>% of All Committee Reports</u> |
| A. Unanimous committee reports | | | |
| <i>Ought to Pass</i> | 15 | 12.1% | 1.1% |
| <i>Ought to Pass as Amended</i> | 29 | 23.4% | 2.2% |
| <i>Leave to Withdraw</i> | 3 | 2.4% | 0.2% |
| <i><u>Ought Not to Pass</u></i> | <u>41</u> | <u>33.1%</u> | <u>3.1%</u> |
| Total unanimous reports | 88 | 71.0% | 6.5% |
| B. Divided committee reports | | | |
| <i>Two-way reports</i> | 35 | 28.2% | 2.6% |
| <i>Three-way reports</i> | 1 | 0.8% | 0.1% |
| <i><u>Four-way reports</u></i> | <u>0</u> | <u>0.0%</u> | <u>0.0%</u> |
| Total divided reports | 36 | 29.0% | 2.7% |
| Total committee reports | 124 | 96.9% | 9.2% |
| III. CONFIRMATION HEARINGS | 3 | N/A | N/A |
| IV. FINAL DISPOSITION | <u>Number</u> | <u>% of Comm Bills/Papers</u> | <u>% of All Bills/Papers</u> |
| A. Bills and Papers enacted or finally passed | | | |
| <i>Joint Study Orders</i> | 0 | 0.0% | 0.0% |
| <i>Public laws</i> | 40 | 31.5% | 2.5% |
| <i>Private and Special Laws</i> | 2 | 1.6% | 0.1% |
| <i>Resolves</i> | 7 | 5.5% | 0.4% |
| <i><u>Constitutional Resolutions</u></i> | <u>0</u> | <u>0.0%</u> | <u>0.0%</u> |
| Total Enacted or Finally Passed | 49 | 38.6% | 3.1% |
| B. Resolves to authorize major substantive rules | | | |
| <i>Rules authorized without legislative changes</i> | 2 | 100.0% | 11.8% |
| <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> |
| Total number of rules reviewed | 2 | 100.0% | 11.8% |
| C. Bills vetoed or held by Governor | | | |
| <i>Vetoed over-ridden</i> | 1 | 0.8% | 0.1% |
| <i>Vetoed sustained</i> | 6 | 4.7% | 0.4% |
| <i><u>Held by the Governor</u></i> | <u>0</u> | <u>0.0%</u> | <u>0.0%</u> |
| Total | 7 | 5.5% | 0.4% |

* 5 bills were voted out that were subsequently committed to the AFA Committee and carried over; to avoid double counting, these bills are not counted here; see numbers for AFA Committee.

**JOINT STANDING COMMITTEE ON
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> |
|---|---------------|--|---|
| A. Bills referred to Committee | | | |
| <i>Bills referred and voted out</i> | 126 | 92.6% | 8.0% |
| <i>Bills Carried Over to next session</i> | <u>10</u> * | <u>7.4%</u> | <u>0.6%</u> |
| Total Bills referred | 136 | 100.0% | 8.6% |
| B. Bills reported out by law or joint order and not referred back to committee | 0 | 0.0% | 0.0% |
| Total Bills considered by Committee | 136 | 100.0% | 8.6% |
| Orders and Resolutions referred to Committee | | | |
| <i>Joint Study Orders referred and voted out</i> | 0 | 0.0% | 0.0% |
| <i>Joint Resolutions referred and voted out</i> | 0 | 0.0% | 0.0% |
| <i>Orders and Resolutions Carried Over</i> | <u>0</u> | <u>0.0%</u> | <u>0.0%</u> |
| Total Orders and Resolutions Referred | 0 | 0.0% | 0.0% |
| | | % of this Committee's Reports | % of All Committee Reports |
| II. COMMITTEE REPORTS | <u>Number</u> | | |
| A. Unanimous committee reports | | | |
| <i>Ought to Pass</i> | 10 | 7.9% | 0.7% |
| <i>Ought to Pass as Amended</i> | 35 | 27.8% | 2.6% |
| <i>Leave to Withdraw</i> | 1 | 0.8% | 0.1% |
| <i>Ought Not to Pass</i> | <u>46</u> | <u>36.5%</u> | <u>3.4%</u> |
| Total unanimous reports | 92 | 73.0% | 6.8% |
| B. Divided committee reports | | | |
| <i>Two-way reports</i> | 32 | 25.4% | 2.4% |
| <i>Three-way reports</i> | 2 | 1.6% | 0.1% |
| <i>Four-way reports</i> | <u>0</u> | <u>0.0%</u> | <u>0.0%</u> |
| Total divided reports | 34 | 27.0% | 2.5% |
| Total committee reports | 126 | 92.6% | 9.4% |
| III. CONFIRMATION HEARINGS | 17 | N/A | N/A |
| | | % of Comm Bills/Papers | % of All Bills/Papers |
| IV. FINAL DISPOSITION | <u>Number</u> | | |
| A. Bills and Papers enacted or finally passed | | | |
| <i>Joint Study Orders</i> | 0 | 0.0% | 0.0% |
| <i>Public laws</i> | 43 | 31.6% | 2.7% |
| <i>Private and Special Laws</i> | 1 | 0.7% | 0.1% |
| <i>Resolves</i> | 4 | 2.9% | 0.3% |
| <i>Constitutional Resolutions</i> | <u>0</u> | <u>0.0%</u> | <u>0.0%</u> |
| Total Enacted or Finally Passed | 48 | 35.3% | 3.0% |
| B. Resolves to authorize major substantive rules | | | |
| Rules authorized without legislative changes | 0 | 0.0% | 0.0% |
| Rules authorized with legislative changes | 1 | 100.0% | 5.9% |
| <u>Rules not authorized by the Legislature</u> | <u>0</u> | <u>0.0%</u> | <u>0.0%</u> |
| Total number of rules reviewed | 1 | 100.0% | 5.9% |
| C. Bills vetoed or held by Governor | | | |
| <i>Vetoed over-ridden</i> | 0 | 0.0% | 0.0% |
| <i>Vetoed sustained</i> | 15 | 11.0% | 1.0% |
| <i>Held by the Governor</i> | <u>0</u> | <u>0.0%</u> | <u>0.0%</u> |
| Total | 15 | 11.0% | 1.0% |

* 4 bills were voted out that were subsequently committed to the AFA Committee and carried over; to avoid double counting, these bills are not counted here; see numbers for AFA Committee. Also includes 2 bills voted out that were recommitted to the committee and carried over; to avoid double counting, these bills are counted as carried over and not as bills voted or reported out.

**JOINT SELECT COMMITTEE ON
MAINE'S WORKFORCE AND ECONOMIC FUTURE**

Summary of Committee Actions

| I. BILLS AND PAPERS CONSIDERED | <u>Number</u> | <u>% of Comm Activity</u> | <u>% of All Bills/Papers</u> |
|---|---------------|--|---|
| A. Bills referred to Committee | | | |
| <i>Bills referred and voted out</i> | 8 | 88.9% | 0.5% |
| <i><u>Bills Carried Over to next session</u></i> | <u>1</u> | <u>11.1%</u> | <u>0.1%</u> |
| Total Bills referred | 9 | 100.0% | 0.6% |
| B. Bills reported out by law or joint order and not referred back to committee | 0 | 0.0% | 0.0% |
| Total Bills considered by Committee | 9 | 100.0% | 0.6% |
| Orders and Resolutions referred to Committee | | | |
| <i>Joint Study Orders referred and voted out</i> | 0 | 0.0% | 0.0% |
| <i>Joint Resolutions referred and voted out</i> | 0 | 0.0% | 0.0% |
| <i><u>Orders and Resolutions Carried Over</u></i> | <u>0</u> | <u>0.0%</u> | <u>0.0%</u> |
| Total Orders and Resolutions Referred | 0 | 0.0% | 0.0% |
| | | | |
| | <u>Number</u> | <u>% of this Committee's Reports</u> | <u>% of All Committee Reports</u> |
| II. COMMITTEE REPORTS | | | |
| A. Unanimous committee reports | | | |
| <i>Ought to Pass</i> | 0 | 0.0% | 0.0% |
| <i>Ought to Pass as Amended</i> | 2 | 25.0% | 0.1% |
| <i>Leave to Withdraw</i> | 0 | 0.0% | 0.0% |
| <i><u>Ought Not to Pass</u></i> | <u>5</u> | <u>62.5%</u> | <u>0.4%</u> |
| Total unanimous reports | 7 | 87.5% | 0.5% |
| B. Divided committee reports | | | |
| <i>Two-way reports</i> | 1 | 12.5% | 0.1% |
| <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> |
| Total divided reports | 1 | 12.5% | 0.1% |
| Total committee reports | 8 | 88.9% | 0.6% |
| III. CONFIRMATION HEARINGS | 0 | N/A | N/A |
| | | | |
| | <u>Number</u> | <u>% of Comm Bills/Papers</u> | <u>% of All Bills/Papers</u> |
| IV. FINAL DISPOSITION | | | |
| A. Bills and Papers enacted or finally passed | | | |
| <i>Joint Study Orders</i> | 0 | 0.0% | 0.0% |
| <i>Public laws</i> | 0 | 0.0% | 0.0% |
| <i>Private and Special Laws</i> | 0 | 0.0% | 0.0% |
| <i>Resolves</i> | 0 | 0.0% | 0.0% |
| <i><u>Constitutional Resolutions</u></i> | <u>0</u> | <u>0.0%</u> | <u>0.0%</u> |
| Total Enacted or Finally Passed | 0 | 0.0% | 0.0% |
| B. Resolves to authorize major substantive rules | | | |
| <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> |
| Total number of rules reviewed | 0 | 0.0% | 0.0% |
| C. Bills vetoed or held by Governor | | | |
| <i>Vetoed over-ridden</i> | 0 | 0.0% | 0.0% |
| <i>Vetoed sustained</i> | 0 | 0.0% | 0.0% |
| <i><u>Held by the Governor</u></i> | <u>2</u> | <u>22.2%</u> | <u>0.1%</u> |
| Total | 2 | 22.2% | 0.1% |

**JOINT STANDING COMMITTEE ON
MARINE RESOURCES**

Summary of Committee Actions

| I. BILLS AND PAPERS CONSIDERED | <u>Number</u> | <u>% of Comm Activity</u> | <u>% of All Bills/Papers</u> |
|---|---------------|--|---|
| A. Bills referred to Committee | | | |
| <i>Bills referred and voted out</i> | 31 | 91.2% | 2.0% |
| <u><i>Bills Carried Over to next session</i></u> | <u>3</u> * | <u>8.8%</u> | <u>0.2%</u> |
| Total Bills referred | 34 | 100.0% | 2.2% |
| B. Bills reported out by law or joint order and not referred back to committee | 0 | 0.0% | 0.0% |
| Total Bills considered by Committee | 34 | 100.0% | 2.2% |
| Orders and Resolutions referred to Committee | | | |
| <i>Joint Study Orders referred and voted out</i> | 0 | 0.0% | 0.0% |
| <i>Joint Resolutions referred and voted out</i> | 0 | 0.0% | 0.0% |
| <u><i>Orders and Resolutions Carried Over</i></u> | <u>0</u> | <u>0.0%</u> | <u>0.0%</u> |
| Total Orders and Resolutions Referred | 0 | 0.0% | 0.0% |
| | | | |
| II. COMMITTEE REPORTS | <u>Number</u> | <u>% of this Committee's Reports</u> | <u>% of All Committee Reports</u> |
| A. Unanimous committee reports | | | |
| <i>Ought to Pass</i> | 1 | 3.2% | 0.1% |
| <i>Ought to Pass as Amended</i> | 12 | 38.7% | 0.9% |
| <i>Leave to Withdraw</i> | 0 | 0.0% | 0.0% |
| <u><i>Ought Not to Pass</i></u> | <u>15</u> | <u>48.4%</u> | <u>1.1%</u> |
| Total unanimous reports | 28 | 90.3% | 2.1% |
| B. Divided committee reports | | | |
| <i>Two-way reports</i> | 3 | 9.7% | 0.2% |
| <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> |
| Total divided reports | 3 | 9.7% | 0.2% |
| Total committee reports | 31 | 91.2% | 2.3% |
| III. CONFIRMATION HEARINGS | 1 | N/A | N/A |
| | | | |
| IV. FINAL DISPOSITION | <u>Number</u> | <u>% of Comm Bills/Papers</u> | <u>% of All Bills/Papers</u> |
| A. Bills and Papers enacted or finally passed | | | |
| <i>Joint Study Orders</i> | 0 | 0.0% | 0.0% |
| <i>Public laws</i> | 14 | 41.2% | 0.9% |
| <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> |
| Total Enacted or Finally Passed | 14 | 41.2% | 0.9% |
| B. Resolves to authorize major substantive rules | | | |
| 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> |
| Total number of rules reviewed | 0 | 0.0% | 0.0% |
| C. Bills vetoed or held by Governor | | | |
| <i>Vetoed over-ridden</i> | 0 | 0.0% | 0.0% |
| <i>Vetoed sustained</i> | 0 | 0.0% | 0.0% |
| <u><i>Held by the Governor</i></u> | <u>0</u> | <u>0.0%</u> | <u>0.0%</u> |
| Total | 0 | 0.0% | 0.0% |

* 2 bills were voted out that were subsequently committed to the AFA Committee and carried over; to avoid double counting, these bills are not counted here; see numbers for AFA Committee.

**JOINT STANDING COMMITTEE ON
STATE AND LOCAL GOVERNMENT**

Summary of Committee Actions

| I. BILLS AND PAPERS CONSIDERED | <u>Number</u> | <u>% of Comm Activity</u> | <u>% of All Bills/Papers</u> |
|---|---------------|--|---|
| A. Bills referred to Committee | | | |
| <i>Bills referred and voted out</i> | 74 | 92.5% | 4.7% |
| <i><u>Bills Carried Over to next session</u></i> | <u>6</u> | <u>7.5%</u> | <u>0.4%</u> |
| Total Bills referred | 80 | 100.0% | 5.1% |
| B. Bills reported out by law or joint order and not referred back to committee | 0 | 0.0% | 0.0% |
| Total Bills considered by Committee | 80 | 100.0% | 5.1% |
| Orders and Resolutions referred to Committee | | | |
| <i>Joint Study Orders referred and voted out</i> | 0 | 0.0% | 0.0% |
| <i>Joint Resolutions referred and voted out</i> | 0 | 0.0% | 0.0% |
| <i>Orders and Resolutions Carried Over</i> | <u>0</u> | <u>0.0%</u> | <u>0.0%</u> |
| Total Orders and Resolutions Referred | 0 | 0.0% | 0.0% |
| | | | |
| II. COMMITTEE REPORTS | <u>Number</u> | <u>% of this Committee's Reports</u> | <u>% of All Committee Reports</u> |
| A. Unanimous committee reports | | | |
| <i>Ought to Pass</i> | 6 | 8.1% | 0.4% |
| <i>Ought to Pass as Amended</i> | 15 | 20.3% | 1.1% |
| <i>Leave to Withdraw</i> | 1 | 1.4% | 0.1% |
| <i><u>Ought Not to Pass</u></i> | <u>17</u> | <u>23.0%</u> | <u>1.3%</u> |
| Total unanimous reports | 39 | 52.7% | 2.9% |
| B. Divided committee reports | | | |
| <i>Two-way reports</i> | 34 | 45.9% | 2.5% |
| <i>Three-way reports</i> | 1 | 1.4% | 0.1% |
| <i><u>Four-way reports</u></i> | <u>0</u> | <u>0.0%</u> | <u>0.0%</u> |
| Total divided reports | 35 | 47.3% | 2.6% |
| Total committee reports | 74 | 92.5% | 5.5% |
| | | | |
| III. CONFIRMATION HEARINGS | 4 | N/A | N/A |
| | | | |
| IV. FINAL DISPOSITION | <u>Number</u> | <u>% of Comm Bills/Papers</u> | <u>% of All Bills/Papers</u> |
| A. Bills and Papers enacted or finally passed | | | |
| <i>Joint Study Orders</i> | 0 | 0.0% | 0.0% |
| <i>Public laws</i> | 16 | 20.0% | 1.0% |
| <i>Private and Special Laws</i> | 3 | 3.8% | 0.2% |
| <i>Resolves</i> | 5 | 6.3% | 0.3% |
| <i><u>Constitutional Resolutions</u></i> | <u>0</u> | <u>0.0%</u> | <u>0.0%</u> |
| Total Enacted or Finally Passed | 24 | 30.0% | 1.5% |
| B. Resolves to authorize major substantive rules | | | |
| <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> |
| Total number of rules reviewed | 0 | 0.0% | 0.0% |
| C. Bills vetoed or held by Governor | | | |
| <i>Vetoed over-ridden</i> | 1 | 1.3% | 0.1% |
| <i>Vetoed sustained</i> | 1 | 1.3% | 0.1% |
| <i><u>Held by the Governor</u></i> | <u>1</u> | <u>1.3%</u> | <u>0.1%</u> |
| Total | 3 | 3.8% | 0.2% |

**JOINT STANDING COMMITTEE ON
TAXATION**

Summary of Committee Actions

| I. BILLS AND PAPERS CONSIDERED | <u>Number</u> | <u>% of Comm Activity</u> | <u>% of All Bills/Papers</u> |
|---|---------------|--|---|
| A. Bills referred to Committee | | | |
| <i>Bills referred and voted out</i> | 86 | 90.5% | 5.5% |
| <i><u>Bills Carried Over to next session</u></i> | 9 * | 9.5% | 0.6% |
| Total Bills referred | 95 | 100.0% | 6.0% |
| B. Bills reported out by law or joint order and not referred back to committee | 0 | 0.0% | 0.0% |
| Total Bills considered by Committee | 95 | 100.0% | 6.0% |
| Orders and Resolutions referred to Committee | | | |
| <i>Joint Study Orders referred and voted out</i> | 0 | 0.0% | 0.0% |
| <i>Joint Resolutions referred and voted out</i> | 0 | 0.0% | 0.0% |
| <i><u>Orders and Resolutions Carried Over</u></i> | <u>0</u> | <u>0.0%</u> | <u>0.0%</u> |
| Total Orders and Resolutions Referred | 0 | 0.0% | 0.0% |
| | | % of this Committee's Reports | % of All Committee Reports |
| II. COMMITTEE REPORTS | <u>Number</u> | | |
| A. Unanimous committee reports | | | |
| <i>Ought to Pass</i> | 2 | 2.4% | 0.1% |
| <i>Ought to Pass as Amended</i> | 20 | 23.5% | 1.5% |
| <i>Leave to Withdraw</i> | 1 | 1.2% | 0.1% |
| <i><u>Ought Not to Pass</u></i> | <u>47</u> | <u>55.3%</u> | <u>3.5%</u> |
| Total unanimous reports | 70 | 82.4% | 5.2% |
| B. Divided committee reports | | | |
| <i>Two-way reports</i> | 15 | 17.6% | 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> |
| Total divided reports | 15 | 17.6% | 1.1% |
| Total committee reports | 85 | 89.5% | 6.3% |
| III. CONFIRMATION HEARINGS | 0 | N/A | N/A |
| | | % of Comm Bills/Papers | % of All Bills/Papers |
| IV. FINAL DISPOSITION | <u>Number</u> | | |
| A. Bills and Papers enacted or finally passed | | | |
| <i>Joint Study Orders</i> | 0 | 0.0% | 0.0% |
| <i>Public laws</i> | 17 | 17.9% | 1.1% |
| <i>Private and Special Laws</i> | 0 | 0.0% | 0.0% |
| <i>Resolves</i> | 1 | 1.1% | 0.1% |
| <i><u>Constitutional Resolutions</u></i> | <u>0</u> | <u>0.0%</u> | <u>0.0%</u> |
| Total Enacted or Finally Passed | 18 | 18.9% | 1.1% |
| B. Resolves to authorize major substantive rules | | | |
| <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> |
| Total number of rules reviewed | 0 | 0.0% | 0.0% |
| C. Bills vetoed or held by Governor | | | |
| <i>Vetoed over-ridden</i> | 0 | 0.0% | 0.0% |
| <i>Vetoed sustained</i> | 2 | 2.1% | 0.1% |
| <i><u>Held by the Governor</u></i> | <u>2</u> | <u>2.1%</u> | <u>0.1%</u> |
| Total | 4 | 4.2% | 0.3% |

* 9 bills were voted out that were subsequently committed to the AFA Committee and carried over; to avoid double counting, these bills are not counted here. See numbers for AFA Committee. Also includes 1 bill voted out that was recommitted to the committee and carried over; to avoid double counting, this bill is counted as carried over and not as bills voted or reported out.

**JOINT STANDING COMMITTEE ON
TRANSPORTATION**

Summary of Committee Actions

| I. BILLS AND PAPERS CONSIDERED | <u>Number</u> | <u>% of Comm Activity</u> | <u>% of All Bills/Papers</u> |
|---|---------------|--|---|
| A. Bills referred to Committee | | | |
| <i>Bills referred and voted out</i> | 101 | 94.4% | 6.4% |
| <i><u>Bills Carried Over to next session</u></i> | <u>6</u> | <u>5.6%</u> | <u>0.4%</u> |
| Total Bills referred | 107 | 100.0% | 6.8% |
| B. Bills reported out by law or joint order and not referred back to committee | 0 | 0.0% | 0.0% |
| Total Bills considered by Committee | 107 | 100.0% | 6.8% |
| Orders and Resolutions referred to Committee | | | |
| <i>Joint Study Orders referred and voted out</i> | 0 | 0.0% | 0.0% |
| <i>Joint Resolutions referred and voted out</i> | 0 | 0.0% | 0.0% |
| <i>Orders and Resolutions Carried Over</i> | <u>0</u> | <u>0.0%</u> | <u>0.0%</u> |
| Total Orders and Resolutions Referred | 0 | 0.0% | 0.0% |
| | | % of this Committee's Reports | % of All Committee Reports |
| II. COMMITTEE REPORTS | <u>Number</u> | | |
| A. Unanimous committee reports | | | |
| <i>Ought to Pass</i> | 10 | 9.9% | 0.7% |
| <i>Ought to Pass as Amended</i> | 25 | 24.8% | 1.9% |
| <i>Leave to Withdraw</i> | 0 | 0.0% | 0.0% |
| <i><u>Ought Not to Pass</u></i> | <u>51</u> | <u>50.5%</u> | <u>3.8%</u> |
| Total unanimous reports | 86 | 85.1% | 6.4% |
| B. Divided committee reports | | | |
| <i>Two-way reports</i> | 15 | 14.9% | 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> |
| Total divided reports | 15 | 14.9% | 1.1% |
| Total committee reports | 101 | 94.4% | 7.5% |
| III. CONFIRMATION HEARINGS | 1 | N/A | N/A |
| | | % of Comm Bills/Papers | % of All Bills/Papers |
| IV. FINAL DISPOSITION | <u>Number</u> | | |
| A. Bills and Papers enacted or finally passed | | | |
| <i>Joint Study Orders</i> | 0 | 0.0% | 0.0% |
| <i>Public laws</i> | 28 | 26.2% | 1.8% |
| <i>Private and Special Laws</i> | 1 | 0.9% | 0.1% |
| <i>Resolves</i> | 8 | 7.5% | 0.5% |
| <i><u>Constitutional Resolutions</u></i> | <u>0</u> | <u>0.0%</u> | <u>0.0%</u> |
| Total Enacted or Finally Passed | 37 | 34.6% | 2.3% |
| B. Resolves to authorize major substantive rules | | | |
| Rules authorized without legislative changes | 0 | 0.0% | 0.0% |
| Rules authorized with legislative changes | 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> |
| Total number of rules reviewed | 0 | 0.0% | 0.0% |
| C. Bills vetoed or held by Governor | | | |
| <i>Vetoed over-ridden</i> | 0 | 0.0% | 0.0% |
| <i>Vetoed sustained</i> | 1 | 0.9% | 0.1% |
| <i><u>Held by the Governor</u></i> | <u>0</u> | <u>0.0%</u> | <u>0.0%</u> |
| Total | 1 | 0.9% | 0.1% |

**JOINT STANDING COMMITTEE ON
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> |
|---|---------------|--|---|
| A. Bills referred to Committee | | | |
| <i>Bills referred and voted out</i> | 90 | 88.2% | 5.7% |
| <u><i>Bills Carried Over to next session</i></u> | 11 * | 10.8% | 0.7% |
| Total Bills referred | 101 | 99.0% | 6.4% |
| B. Bills reported out by law or joint order and not referred back to committee | 1 | 1.0% | 0.1% |
| Total Bills considered by Committee | 102 | 100.0% | 6.5% |
| Orders and Resolutions referred to Committee | | | |
| <i>Joint Study Orders referred and voted out</i> | 0 | 0.0% | 0.0% |
| <i>Joint Resolutions referred and voted out</i> | 0 | 0.0% | 0.0% |
| <i>Orders and Resolutions Carried Over from previous session</i> | <u>0</u> | <u>0.0%</u> | <u>0.0%</u> |
| Total Orders and Resolutions Referred | 0 | 0.0% | 0.0% |
| | | % of this Committee's Reports | % of All Committee Reports |
| II. COMMITTEE REPORTS | <u>Number</u> | | |
| A. Unanimous committee reports | | | |
| <i>Ought to Pass</i> | 5 | 5.5% | 0.4% |
| <i>Ought to Pass as Amended</i> | 22 | 24.2% | 1.6% |
| <i>Leave to Withdraw</i> | 3 | 3.3% | 0.2% |
| <u><i>Ought Not to Pass</i></u> | <u>37</u> | <u>40.7%</u> | <u>2.8%</u> |
| Total unanimous reports | 67 | 73.6% | 5.0% |
| B. Divided committee reports | | | |
| <i>Two-way reports</i> | 24 | 26.4% | 1.8% |
| <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> |
| Total divided reports | 24 | 26.4% | 1.8% |
| Total committee reports | 91 | 89.2% | 6.8% |
| III. CONFIRMATION HEARINGS | 3 | N/A | N/A |
| | | % of Comm Bills/Papers | % of All Bills/Papers |
| IV. FINAL DISPOSITION | <u>Number</u> | | |
| A. Bills and Papers enacted or finally passed | | | |
| <i>Joint Study Orders</i> | 0 | 0.0% | 0.0% |
| <i>Public laws</i> | 34 | 33.3% | 2.2% |
| <i>Private and Special Laws</i> | 0 | 0.0% | 0.0% |
| <i>Resolves</i> | 2 | 2.0% | 0.1% |
| <u><i>Constitutional Resolutions</i></u> | <u>0</u> | <u>0.0%</u> | <u>0.0%</u> |
| Total Enacted or Finally Passed | 36 | 35.3% | 2.3% |
| B. Resolves to authorize major substantive rules | | | |
| Rules authorized without legislative changes | 0 | 0.0% | 0.0% |
| Rules authorized with legislative changes | 1 | 100.0% | 5.9% |
| <u>Rules not authorized by the Legislature</u> | <u>0</u> | <u>0.0%</u> | <u>0.0%</u> |
| Total number of rules reviewed | 1 | 100.0% | 5.9% |
| C. Bills vetoed or held by Governor | | | |
| <i>Vetoed over-ridden</i> | 0 | 0.0% | 0.0% |
| <i>Vetoed sustained</i> | 5 | 4.9% | 0.3% |
| <u><i>Held by the Governor</i></u> | <u>0</u> | <u>0.0%</u> | <u>0.0%</u> |
| Total | 5 | 4.9% | 0.3% |

* 2 bills were voted out that were subsequently committed to the AFA Committee and carried over; to avoid double counting, these bills are not counted here; see numbers for AFA Committee.

APPENDIX B

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