

PLANNING MEMORANDUM

To: Veterans and Legal Affairs Committee
From: Janet Stocco & Sam Praver, Legislative Analysts
Date: January 10, 2022
Re: Second Regular Session Planning and List of VLA Committee Tasks

A. Deadlines for the Second Regular Session

Friday, Feb. 11	60% of referred bills voted	<i>PO's memo also requests that committees prioritize work on carryover bills.</i>
Friday, March 11	100% of referred bills voted	<i>Committee meetings after this date require permission, except: amendment review, confirmation hearings, to work the errors bill and budget-related issues</i>
Friday, March 25	100% of referred bills reported out	<i>No committee meetings allowed after this date without permission</i>
Wed., April 20	Statutory Adjournment	

B. Carry Over Bills (6)

LD	Title	Sponsor	PH?	Notes
421	An Act To Increase the Number of Plants a Medical Marijuana Caregiver May Cultivate	Collings	3/1/21	CO to allow VLA more time to consider the issue.
451	An Act To Remove the Party Designation from Return Envelopes for Absentee Ballots for the General Election	Rudnicki	3/3/21	In Part UUUU of P.L. 2021, ch. 398 (biennial budget) effective Nov. 1, 2023 (after new CVR).
619	An Act To Allow Christine Pratt To Be Buried at the Southern Maine Veterans Cemetery	Tuttle	4/5/21	CO to allow Rep. Tuttle to speak to congressional delegation.
1358	An Act To Provide for the Direct Shipment of Spirits to Consumers	Stewart	4/16/21	CO to allow stakeholders time to meet.
1643	An Act To Correct Errors, Inconsistencies and Conflicts in and To Revise the State's Liquor Laws	Luchini	Today: 1/10/22	Was a 129th committee bill with technical corrections & revisions, mostly to match current practice.
1726	An Act To Increase Transparency in Political Communications	Jackson	5/21/21	CO due in part to First Amendment issues. VLA has requested assistance from the AG's office.

C. New bills already referred to VLA (16)

LD	Title	Sponsor	PH date
1743	An Act To Amend Certain Definitions in the Statutes Governing the Gambling Control Board	Luchini (for DPS)	1/10
1745	An Act To Amend the Laws Governing the Gambling Control Board	Luchini (for DPS)	1/10

1750	An Act To Create a Framework for Maine's Spirits Contract <i>(concept draft)</i>	Luchini	1/10
1751	An Act To Make Permanent the Changes to the Liquor Laws Made by Public Law 2021, Chapters 3 and 91	Luchini	1/10
1754	An Act To Modify the Reporting Requirements for Major Contributors to Ballot Question Campaigns	Luchini <i>(for Ethics)</i>	1/12
1779	An Act To Protect Election Integrity by Regulating Possession of Ballots and Voting Machines and Devices	Pierce	1/12
1782	An Act Regarding Contributing to Candidates and Political Action Committees	Luchini	1/12
1784	An Act To Ensure Legislative Review of Rules for Maine's Medical Use of Marijuana Act	Maxmin	
1817	An Act To Allow the State's Adult Use Marijuana Tracking System To Track Plants and Products by Group	Supica	1/19
1821	An Act To Make Interfering with an Election Official a Class C Crime	B. White	1/12
1827	An Act To Permit Limited Delivery of Adult Use Marijuana	Perry	1/19
1830	An Act To Amend the Election Laws	Luchini <i>(for Sec'y of State)</i>	1/12
1846	An Act To Allow for a Variance Rate in the Amount and Potency of Cannabinoids in Adult Use Edible Marijuana Products	Perry	1/19
1852	Resolve, Authorizing the Maine National Guard To Sell Certain Property in Hallowell	Hickman	
1883	An Act To Update the Setoffs against Lottery Winnings	Caiazzo <i>(for DAFS)</i>	
1906	An Act Regarding Rulemaking and Pricing under the Bureau of Alcoholic Beverages and Lottery Operations	Hickman	

D. New bills with anticipated referral to VLA (6)

These are the original titles submitted by the sponsors and may change during the bill-drafting process.

LR	Preliminary Title (Sponsor)	Sponsor	Topic
2265	An Act To Allow Wine Retailers with 2 or More Licensed Facilities To Freely Transfer Wine between Approved Facilities	Crockett	Liquor
2277	An Act To Enhance Access to, Education Regarding and Patient and Community Safety in Maine's Medical Use of Marijuana Program	Claxton	Medical marijuana
2301	An Act To Authorize Certain Off-premises Sales of Adult Use Marijuana	Dillingham	Adult marijuana
2326	An Act To Clarify the Laws Related to Online Raffle Tickets To Reflect the True Intent of Those Laws	Jackson	Gaming
2424	An Act To Update and Clarify the Maine Medical Use of Marijuana Act and Provide for Greater Transparency	Williams	Medical marijuana
2503	An Act To Increase Opportunities in the Cannabis Industry by Removing Restrictions Related to Certain Convictions for Drug Offenses	Talbot Ross	All? marijuana

In addition: (1) agencies may file major substantive rules for review by January 14; (2) the Governor may submit bills at any time; and (3) the Legislative Council may approve additional after-deadline bill requests, which could include legislator-sponsored bills or, perhaps, late-filed major substantive rules.

E. Bills Carried over on the Special Appropriations Table (8)

LD	Title	Sponsor	Notes
148	An Act To Establish Ongoing Absentee Voting	Speaker Fecteau	Enacted as Part UUUU of P.L. 2021, ch. 398 (budget) —eff. Nov. 1, 2023 (after new CVR).
202	Resolution, Proposing an Amendment to the Constitution of Maine To Implement Ranked-choice Voting	Miramant	<i>Failed final passage in House; put on Special Appropriations Table in the Senate.</i>
231	An Act To Establish Semi-open Primaries	Maxmin	
378	An Act To Temporarily Waive Renewal Fees for On-premises Retail Liquor Licenses	Luchini	
542	Resolve, To Establish a Pilot Project To Provide Support Services for Military Members Transitioning to Civilian Life in Maine	Terry	Part H of P.L. 2021, ch. 483 (ARPA bill) funded 1 year of this pilot project.
1155	An Act To Require Election Transparency and Audits	Grohoski	
1178	Resolution, Proposing an Amendment to the Constitution of Maine To Prohibit the Consideration of a People's Veto at a Presidential Primary	Corey	<i>Failed final passage in House; put on Special Appropriations Table in the Senate.</i>
1352	An Act To Regulate Sports Betting	Luchini	

F. Reviews, Sunset Dates and Reports due to VLA this session

1. One-Time Review (1)

Due	Review Topic	Statute
April 1, 2021	Vietnam War Remembrance Day	P.L. 2011, ch. 92, §3 (“No later than April 1, 2021, the joint standing committee of the Legislature having jurisdiction over veterans matters shall review the establishment of Vietnam War Remembrance Day pursuant to the Maine Revised Statutes, Title 1, section 150-G and determine whether the language establishing the day of remembrance requires amendment or modification.”).

2. Repealers a.k.a. Sunset Dates (4)

Date	Statute / Law	Topic	Notes
1/1/22	28-B M.R.S. §205(2)(C)	Prohibition on a person having a direct or indirect financial interest in more than 4 adult-use marijuana store licenses.	Has now been repealed; but could reenact?
1/1/22	P.L. 2021, ch. 7	Waiver of statutory food-sales requirements for on-premises retail licenses renewed btw. 1/1/21 and 1/1/22.	Has expired; could reenact?

9/10/22	28-A M.R.S. §1056	Sales of liquor for off-premises consumption by on-premises retail licensees or by qualified distilleries. (take-out sales / cocktails to go)	Addressed in LD 1751
9/10/22	28-A M.R.S. §1355-A(5)(F-1)	Sales of cocktails for on-premises consumption by distilleries and small distilleries at locations where off-premises sales are made.	Addressed in LD 1751

Important Notes for Reports Listed Below: if the committee wishes to report out a committee bill in response to a report, it should schedule a presentation as soon as possible. In addition, the committee may have authority under Joint Rule 353 to report out a committee bill in response to each of the reports listed below—except the report pursuant to LD 558—even without explicit statutory authority. If the committee wishes to report out a bill, OPLA will confirm the authority to do so with the Revisor’s office.

3. One-Time Reports (6)

Due	Report Topic	From Who	Statute / Relevant Legislation
Jan. 1, 2022	Findings and recommendations from OMP meetings with stakeholders on medical use of marijuana program	OMP	Resolve 2021, ch. 95 (explicit authority to report out legislation)
Jan. 1, 2022	(1) Review services specified in LD 588 ; (2) review implementation of recommendations by the Commission To Strengthen and Aline the Services Provided to Maine’s Veterans ; and (3) make recommendations to further improve services to veterans in the State	MBVS and DHHS where appropriate	Letter sent to Director Richmond after LD 558 was voted ONTP
Jan. 15, 2022	Potential processes in other states for upgrading discharge status (for state law purposes) of veterans diagnosed with PTSD or TBI or with psychological trauma from sexual assault or harassment during military service	MBVS Director	P.L. 2021, ch. 37, §4 (explicit authority to report out legislation)
Jan. 15, 2022	Process created to consult with stakeholders before proposing new medical marijuana rules; process to hire consultants for developing the rules; findings of a study evaluating economic effects of any new rules or proposed changes to existing rules	DAFS	P.L. 2021, ch. 387, §17 (explicit authority to report out legislation)
March 1, 2022	Findings and proposed legislation from Adj. Gen.’s assessment of Maine Code of Military Justice and other laws addressing investigation, prosecution and adjudication of sexual assault by members of the Maine National Guard and crucial needs and lapses in responding to and preventing military sexual trauma	Adjutant General	Resolve 2021, ch. 21, §2 (explicit authority to report out legislation)

March 1, 2022	Feasibility of establishing a special lottery ticket game and “charity fund” to support different nonprofits and charities in the State on a rotating basis	BABLO Director	Letter to Director Mineo after LD 948 voted ONTP
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4. Annual Reports (17)

Due	Report Topic	From Who	Statute
Jan. 15	Central Voter Registration System	Secretary of State	21-A M.R.S. §195 (explicit authority to report out legislation)
Jan. 15	Marijuana Advisory Commission’s findings and recommendations	Marijuana Advisory Commission	28-B M.R.S. §903
Feb. 1	Implementation of strategic plan for veteran homelessness	Director of Maine Bureau of Veterans’ Services	30-A M.R.S. §5048
Feb. 1	Mental health case management services provided to veterans	DHHS (in consultation with MBVS)	34-B M.R.S. §3911
Feb. 15	Adult Use Marijuana Annual Report	DAFS	28-B M.R.S. §113 (explicit authority to report out legislation)
Feb. 15	Harness Racing Commission’s annual report	Harness Racing Commission	8 M.R.S. §267
Feb. 15	Use of slot machine revenue by harness racing funds <i>*by statute, may be combined with annual report*</i>	Executive Director of State Harness Racing Commission & DACF	8 M.R.S. §1037
Feb. 15	Use of slot machine revenue by each named entity	<ul style="list-style-type: none"> • Fund for a Healthy Maine; • Maine Community College System; • University of Maine System (received) 	8 M.R.S. §1037(6)
Feb. 15	Annual Report of Lottery Operations	BABLO	8 M.R.S. §372 (explicit authority to report out legislation)
Feb. 15	Annual Report of Liquor Operations	BABLO	28-A M.R.S. §84 (explicit authority to report out legislation)
Feb. 15	Coordinated Veterans Assistance Fund	Director of Maine Bureau of Veterans’ Services	37-B M.R.S. §514
March 1	Off-Track Betting Facilities	DACF	8 M.R.S. §275-D
March 1	Gambling Addiction Prevention & Treatment Fund (slot machine revenue fund)	DHHS Commissioner	5 M.R.S. §20006-B (explicit authority to report out legislation)

March 15	Slot machine and table game revenue	Gambling Control Board	8 M.R.S. §1003
Date not specified	Annual (independently audited) report from the State’s wholesale liquor contractor	BABLO (submitted to VLA after received from contractor)	28-A M.R.S. §90
Date not specified	Spirits administration (including cases sold, retail prices and agency liquor store incentives)	BABLO	28-A M.R.S. §83-C
Date not specified	Maine Veterans’ Homes annual report	Board of Trustees of Maine Veterans’ Homes	37-B M.R.S. §611

G. Government Evaluation Act Reviews (0)

VLA does not have any GEA reviews this year. But, the Committee may wish to inquire about whether the 3 M.R.S. §959(F)(10) in the GEA statute should be amended. It currently provides:

- The **HHS Committee** should schedule a review of “The bureau or division within the Department of Administrative and Financial Services that administers and enforces the Maine Medical Use of Marijuana Act in 2025”; and
- The **SLG Committee** should schedule a review of the “Department of Administrative and Financial Services, except for the Bureau of Revenue Services and the bureau or division within the department that administers and enforces the Maine Medical Use of Marijuana Act, in 2019.”

H. Regulatory Agenda

Each state agency must periodically submit a “regulatory agenda”—*i.e.*, a list of rules the agency expects to propose or amend—to the relevant policy committee, which must review the agendas “at a meeting called for the purpose”; more than one agenda may be reviewed at a time [5 M.R.S. §8060\(5\)](#).

The Secretary of State also receives copies of each regulatory agenda and posts those copies on its [website](#). The following regulatory agenda are relevant to the VLA Committee:

- [Dept. of Administrative and Financial Services](#):
 - Includes OMP (pp. 14-15) & BABLO (pp. 8-12)
- [Dept. of Defense, Veterans and Emergency Management](#):
 - Includes Military Bureau (p. 1) & Maine Bureau of Veterans Services (p. 2)
- [Dept. of Secretary of State](#):
 - Includes Bureau of Corporations, Elections and Commissions (with election-related rules appearing on pp. 9-12)
- [Dept. of Public Safety](#):
 - Includes Gambling Control Unit (pp. 17-21)