

MAINE STATE LEGISLATURE

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STATE OF MAINE
123RD LEGISLATURE
FIRST REGULAR SESSION



Summaries of bills and adopted amendments and laws enacted or finally passed during the First Regular Session of the 123rd Maine Legislature coming from the

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

July 2007

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STATE OF MAINE

123RD LEGISLATURE

FIRST REGULAR SESSION

LEGISLATIVE DIGEST OF BILL SUMMARIES AND ENACTED LAWS



This *Legislative Digest of Bill Summaries and Enacted Laws* summarizes all bills and adopted amendments and all laws enacted or finally passed during the First Regular Session of the 123rd Maine Legislature, which was in session from December 6, 2006 to June 21, 2007.

The *Digest* is arranged alphabetically by committee, and within each committee by LD number. The committee report(s), prime sponsor and lead co-sponsor(s), if designated, are listed below each bill title. All adopted amendments are summarized and listed by paper number. A subject index is included with each committee. The appendices include a summary of relevant session statistics, an index of all bills by LD number and an index of enacted laws by law type and chapter number.

Final action on each bill is noted to the right of the bill title. The abbreviations used for various categories of final action are as follows:

CON RES XXX.....	Chapter # of Constitutional Resolution passed by both Houses
CONF CMTE UNABLE TO AGREE.....	Committee of Conference unable to agree; bill died
DIED BETWEEN BODIES.....	House & Senate disagree; bill died
DIED IN CONCURRENCE.....	One body accepts ONTP report; the other indefinitely postpones the bill
DIED ON ADJOURNMENT.....	Action incomplete when session ended; bill died
EMERGENCY.....	Enacted law takes effect sooner than 90 days
FAILED EMERGENCY ENACTMENT/FINAL PASSAGE.....	Emergency bill failed to get 2/3 vote
FAILED ENACTMENT/FINAL PASSAGE.....	Bill failed to get majority vote
FAILED MANDATE ENACTMENT.....	Bill imposing local mandate failed to get 2/3 vote
NOT PROPERLY BEFORE THE BODY.....	Ruled out of order by the presiding officers; bill died
INDEF PP.....	Bill Indefinitely Postponed
ONTP (or Accepted ONTP report).....	Ought Not To Pass report accepted
OTP-ND.....	Committee report Ought To Pass In New Draft
P&S XXX.....	Chapter # of enacted Private & Special Law
PASSED.....	Joint Order passed in both bodies
PUBLIC XXX.....	Chapter # of enacted Public Law
RESOLVE XXX.....	Chapter # of finally passed Resolve
UNSIGNED.....	Bill held by Governor
VETO SUSTAINED.....	Legislature failed to override Governor's Veto

Please note that the effective date for non-emergency legislation enacted in the First Regular Session is **September 20, 2007**. The effective date for legislation enacted as an emergency measure is specified in the enacted law summary for those bills.

Joint Standing Committee on Legal and Veterans Affairs

LD 309 An Act To Change the Laws Concerning Games of Chance

ONTP

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

This bill provides that Maine State Lottery tickets may be sold at any time during the conduct of "beano" games, before, after or during. Under the bill, other games of chance may be sold up to 2 hours before "beano" games.

This bill also increases the permitted sale value for lucky seven or similar sealed tickets from \$1 to \$20. Current law provides that lucky seven and similar sealed tickets may be sold only to those purchasing cards to play "beano." This bill permits them to be sold to anyone who has paid an entrance fee.

LD 310 An Act To Ensure the Integrity of Maine's Electoral Process by Requiring Physical Ballots

ONTP

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

This bill repeals a provision in current law that requires any voting machine used in the conduct of elections to produce permanent paper records of votes for voter verification and to provide for a manual audit capacity of the votes cast on that machine. This bill replaces that section. The proposed language in the bill requires all voting machines used by voters to cast their votes in an election to provide a physical ballot that is the equivalent of or superior to a hand-cast ballot and clearly reflects the intent of the voter. The bill also prescribes the process to be followed if the voter determines that the physical ballot is not consistent with the vote case using the voting machine.

LD 330 An Act To Protect the Integrity of Security Deposits

PUBLIC 332

<u>Sponsor(s)</u>	<u>Committee Report</u>	<u>Amendments Adopted</u>
ADAMS BARTLETT	OTP-AM	H-420

This bill requires a landlord who is selling or transferring property being rented to inform the buyer or transferee at the closing on the property of the security deposits paid by tenants of the property, to transfer those security deposits at the closing and to provide written proof at the closing of the disclosure of this information and the transfer of funds. This bill also specifies that failure to provide the accounting or to transfer the security deposits is a violation of the Maine Unfair Trade Practices Act.

Committee Amendment "A" (H-420)

This amendment removes the penalty provision of the bill that provided that a person in possession of a security deposit who fails to provide an accounting and transfer of security deposit funds when required commits a violation of the Maine Unfair Trade Practices Act.

Enacted Law Summary

Public Law 2007, chapter 332 requires a landlord who is selling or transferring property being rented to inform the

Joint Standing Committee on Legal and Veterans Affairs

buyer or transferee at the closing on the property of the security deposits paid by tenants of the property, to transfer those security deposits at the closing and to provide written proof at the closing of the disclosure of this information and the transfer of funds.

LD 348 An Act To Limit Contributions to Political Action Committees ONTP

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

This bill limits the aggregate amount of contributions to a political action committee to \$7,500 from any one source in an election cycle. The limits proposed by this bill will be considered with LD 1394 An Act Regarding Campaign Finance Disclosure by Political Action Committees, which is being carried over to the Second Regular Session.

LD 383 An Act To Amend the Landlord-tenant Laws ONTP

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

This bill provides for expedited landlord-tenant forcible entry and detainer proceedings in certain situations. Causing substantial damage to rental property is designated a Class D crime in this bill.

LD 396 An Act To Provide Additional Funding for the Maine Clean Election Act ONTP

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

This bill amends the provision of the Maine Clean Election Act that lists the sources of revenue for the Maine Clean Election Fund. It adds to the sources of revenue, money reimbursed to the fund for independent expenditures made by PAC supporting a participating candidate who is a principal officer, primary fundraiser, or decision maker of that PAC. This bill requires that a participating candidate who is a principal officer, primary fundraiser or decision maker in a PAC to disclose that information and any independent expenditures on forms provided by the commission.

LD 434 An Act To Allow a Voter To Preserve the Confidentiality of That Voter's Presence at the Polls ONTP

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

This bill amends the provision of law that requires an election clerk to announce the name of a voter in a loud, clear voice. This bill provides for an exception to that requirement that would prohibit the clerk from announcing the voter's name if the voter makes such a request.