

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 620

An Act Relating to Liquor Samples

PUBLIC 113

<u>Sponsor(s)</u>	<u>Committee Report</u>	<u>Amendments Adopted</u>
PATRICK MITCHELL	OTP-AM	H-101

This bill allows a sales representative for a distilled spirits manufacturer or supplier to give a retail licensee a sample bottle of spirits in a size not to exceed 1 liter. These samples would be provided in the form of a bottle to be taken by the retail licensee to consume elsewhere. The provisions in LD 620 that allows for spirits samples are similar to those provisions in current law that provide for beer/wine samples.

Committee Amendment "A" (H-101)

This amendment clarifies that the 3-liter-per-year limitation is per distiller represented by a sales representative. The amendment removes the provision that samples be provided in the smallest container size available for sale in this State and retains the provision that samples may not exceed one liter.

Enacted Law Summary

Public Law 2007, chapter 113 allows a sales representative for a distilled spirits manufacturer to provide spirits samples to retail licensees. These samples are provided in the form of a bottle of spirits given to the retail licensee to be consumed away from the licensed retail establishment. Individual samples may not exceed one liter in size and the sales representative may give no more than 3 liters to any one retail licensee per year.

LD 636

An Act To Create Optional Public Financing of Legislative Leadership Elections

ONTP

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

This bill sets up specific provisions within the Maine Clean Election Act that would provide additional financing for certified candidates who intend to run for Legislative leadership positions. It defines "leadership position" as President of the Senate, House Speaker, and party leaders in the House and Senate.

To qualify for financing under this program, a certified candidate in the Senate must get 7 signatures from party members and House candidates must get 20. A letter of intent must be filed with the Commission on Governmental Ethics and Election Practices after certification and within 3 days of becoming a leadership candidate. Prior to certification a leadership candidate would be required to collect 10% of their Clean Election Act Fund distribution in seed money, which may not come from an out-of-state donor.

Candidates for Speaker of the House would receive \$20,000. House leadership positions would receive \$10,000. Senate President candidates would receive \$15,000. Senate leadership candidates would receive \$5000. Unspent money would be returned to the commission. The bill provides that leadership candidates do not receive matching funds for leadership races. A candidate for leadership under this program would be prohibited from giving money to a candidate, campaign, political committee or PAC during the leadership campaign and would be prohibited from accepting or spending other funds in running for leadership. It also prohibits leadership candidates in the program from serving as an officer or having control over a PAC that contributes to a campaign in the state.

Finally, this bill allows for the commission to adopt routine technical rules to implement this program.