

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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* Representative Stacey Fitts replaced former Representative Abigail Holman on the Legal and Veterans' Affairs Committee.

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

Current law provides that an agency store license, a license to sell spirits as an agent of the state that controls the sale of spirits, is not transferable but allows for someone to take over the license temporarily until a new licensee is selected. In this event, the bureau would post notice of an available license and accept applications. The bureau selects a new licensee based on criteria established in law. It may or may not be the temporary license holder. This bill requires the transfer of an agency liquor store license if the new owner meets the eligibility qualifications that license applicants are required to meet and if the physical premises of the establishment remains unchanged. The initial license fee in current law for an agency liquor store is \$2000. Under this bill, the same fee would apply to a transferee. Renewal license fees are \$300 annually.

Committee Amendment "A" (H-116)

This amendment incorporates a fiscal note.

Enacted Law Summary

Public Law 2007, chapter 117 requires the transfer of an agency liquor store license if the new owner meets the eligibility qualifications that license applicants are required to meet and if the physical premises of the establishment remain unchanged.

LD 1136

An Act To Amend the Commission on Governmental Ethics and Election Practices' Appointment Process

PUBLIC 252

<u>Sponsor(s)</u>	<u>Committee Report</u>	<u>Amendments Adopted</u>
CANAVAN EDMONDS	OTP-AM	H-336

This bill requires the parties to submit a list of nominees for a vacancy on the Commission on Governmental Ethics and Election Practices within 60 days of the vacancy or the Governor has the power within 30 days after to appoint a nominee as the Governor determines.

Committee Amendment "A" (H-336)

This amendment replaces the proposal made by the bill that would have required the Governor to appoint a candidate to fill a vacancy for the 5th member of the Commission on Governmental Ethics and Election Practices if the leaders of each party from both bodies of the Legislature fail to provide a jointly derived list of 3 qualified candidates within 60 days of the vacancy's being created. The amendment provides that if the jointly derived list is not presented to the Governor within 60 days of the vacancy's being created, then within the subsequent 15 days each party from both bodies of the Legislature shall present a separate list to the Governor, who shall appoint a candidate within 30 days of receiving the lists.

Enacted Law Summary

Public Law 2007, chapter 252 establishes a process to fill a vacancy for the 5th member of the Commission on Governmental Ethics and Election Practices if the leaders of each party from both bodies of the Legislature fail to provide a jointly derived list of 3 qualified candidates within 60 days of the vacancy's being created, as required by current law. Chapter 252 provides that if the jointly derived list is not presented to the Governor within 60 days of the vacancy's being created, then within the subsequent 15 days each party from both bodies of the Legislature shall present a separate list to the Governor, who shall appoint a candidate within 30 days of receiving the lists.