

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 1651

An Act To Permit the Use of Surety Bonds in Lieu of Security Deposits

PUBLIC 370

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

This bill allows tenants, at their sole option, to purchase surety bonds in lieu of some or all of a required security deposit for the purpose of assisting tenants who have insufficient resources to provide a security deposit for a residential dwelling unit. The bill also sets forth a series of restrictions on the issuance of surety bonds, including required disclosures to tenants, limitations on when and how a landlord can draw upon a surety bond and establishment of a tenant's right of action in the event of wrongful assessment of surety bond.

Enacted Law Summary

Public Law 2007, chapter 370 allows tenants, at their option, to purchase surety bonds in lieu of some or all of a required security deposit for the purpose of assisting tenants who have insufficient resources to provide a security deposit for a residential dwelling unit. The law also sets forth a series of restrictions on the issuance of surety bonds, including required disclosures to tenants, limitations on when and how a landlord can draw upon a surety bond and establishment of a tenant's right of action in the event of wrongful assessment of surety bond.

LD 1679

An Act To Change and Clarify the Maine Clean Election Laws

ONTP

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

This bill extends the period that certain expenditures under the Maine Clean Election Act are deemed independent expenditures from 21 days to 60 days prior to an election. This bill also repeals the provision in the Maine Clean Election Act that gives a longer qualifying period to unenrolled candidates. It also adds a provision to the terms of participation of the Maine Clean Election Act requiring a candidate to maintain the same enrollment status the candidate held at the time of the preceding general election prior to seeking certification as a Maine Clean Election Act candidate. The bill directs the Commission on Governmental Ethics and Election Practices to adopt rules that will: permit a candidate to reuse campaign signs from a prior election without updating disclaimers; establish an equitable formula for the allowance of travel expenses based on the square miles in a candidate's legislative district; and permit primary funds to be spent during a general election if a candidate was unopposed in the primary. Finally, this bill directs the commission to issue a report that suggests a statutory mechanism for narrowing to one the number of unenrolled gubernatorial candidates that may receive Maine Clean Election Act funds.

LD 1680

An Act To Reform and Simplify the Clean Election Process

ONTP

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

This bill amends the Maine Clean Election Act by combining seed money and qualifying contributions into one qualifying system. Rather than seed money, a candidate would be able to spend qualifying contributions prior to certification as a Maine Clean Election Act candidate. Qualifying contributions, which may be made by either cash or money order under this bill, are defined as any amount between \$5 and \$40 payable to the candidate or the