

MAINE STATE LEGISLATURE

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STATE OF MAINE
124TH LEGISLATURE
FIRST REGULAR SESSION



Summaries of bills, adopted amendments and laws enacted or finally passed during the First Regular Session of the 124th Maine Legislature coming from the

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

July 2009

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STATE OF MAINE

124TH 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 124th Maine Legislature.

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:

CARRIED OVER.....	Carried over to a subsequent session of the Legislature
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; bill died
ONTP (or Accepted ONTP report).....	Ought Not To Pass report accepted; bill died
P&S XXX.....	Chapter # of enacted Private & Special Law
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

The effective date for non-emergency legislation enacted in the First Regular Session of the 124th Legislature is September 12, 2009. 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 3 An Act To Designate Registered Voters Not Enrolled in a Political Party as Independent Voters ONTP

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

This bill designates unenrolled registered voters as independent voters in the election laws.

LD 5 An Act To Amend the Laws Governing Liquor Licenses ONTP

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

Current law limits the number of agency liquor stores that sell spirits in a municipality based on the population of the municipality. This bill removes the limits on the number of agency liquor stores that may be licensed in a municipality.

LD 28 An Act To Promote the Integrity of Citizens' Initiatives ONTP

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

This bill requires that a person who collects signatures for a citizens' initiative must be a voter registered in Maine.

LD 29 An Act To Amend the Landlord and Tenant Laws as They Pertain to Interest Paid on Mobile Home Park Tenant Security Deposits PUBLIC 128

<u>Sponsor(s)</u>	<u>Committee Report</u>	<u>Amendments Adopted</u>
MAZUREK RECTOR	OTP-AM	H-160

This bill removes the requirement that a mobile home park owner pay 4% annual interest on security deposits that are returned to tenants.

Committee Amendment "A" (H-160)

This amendment replaces the bill. The bill removed the requirement that a mobile home park operator pay 4%

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annual interest on security deposits that are returned to tenants. The amendment retains the requirement that interest be paid, but requires that the amount of interest paid must be either the interest amount earned on the deposit if deposited in an individual segregated savings account or a reasonable amount of annual interest, which is defined as the annual interest rate on a 6-month certificate of deposit. The amendment also requires that security deposits not be commingled with the assets of the landlord.

Enacted Law Summary

Public Law 2009, chapter 128 requires that the amount of interest paid on mobile home park tenant security deposits must be either the interest amount earned on the deposit if deposited in an individual segregated savings account or a reasonable amount of annual interest, which is defined as the annual interest rate on a 6-month certificate of deposit. The law also requires that security deposits not be commingled with the assets of the landlord.

LD 30 An Act To Establish Native American Veterans Day

**PUBLIC 51
EMERGENCY**

<u>Sponsor(s)</u>	<u>Committee Report</u>	<u>Amendments Adopted</u>
SOCTOMAH RAYE	OTP-AM	H-45

This bill establishes May 1st of each year as Native American Veterans Day in the State.

Committee Amendment "A" (H-45)

This amendment adds an emergency preamble and emergency clause. The amendment also changes the date to be named Native American Veterans Day to June 21st.

Enacted Law Summary

Public Law 2009, chapter 51 establishes June 21st as Native American Veterans Day in Maine.

This law was enacted as an emergency measure and took effect on April 22, 2009.

LD 56 An Act To Join the Interstate Compact on the National Popular Vote

Carried Over

<u>Sponsor(s)</u>	<u>Committee Report</u>	<u>Amendments Adopted</u>
MARTIN J L		

This bill proposes to adopt the interstate compact that is the agreement among the states to elect the President of the United States by national popular vote. Under the compact and the bill, the presidential candidate who receives the most popular votes in all 50 states and the District of Columbia will win the presidency. Under this bill, all of the state's electoral votes would be awarded to the presidential candidate who receives the most popular votes in all 50 states and the District of Columbia. This bill would take effect only when enacted by states possessing a majority of the electoral votes, that is, enough electoral votes to elect a President, which is 270 of 538. This bill was carried over to any special or regular session of the 124th Legislature by joint order, H.P. 1053.