

MAINE STATE LEGISLATURE

The following document is provided by the
LAW AND LEGISLATIVE DIGITAL LIBRARY
at the Maine State Law and Legislative Reference Library
<http://legislature.maine.gov/lawlib>



Reproduced from electronic originals
(may include minor formatting differences from printed original)

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

MEMBERS:

SEN. NANCY B. SULLIVAN, CHAIR
SEN. SETH A. GOODALL
SEN. DEBRA D. PLOWMAN

REP. PAMELA JABAR TRINWARD, CHAIR
REP. JOHN L. TUTTLE, JR.
REP. LINDA M. VALENTINO
REP. MICHAEL E. CAREY
REP. ALEXANDER CORNELL DU HOUX
REP. DIANE RUSSELL
REP. STACEY ALLEN FITTS
REP. WRIGHT H. PINKHAM, SR.
REP. JOAN M. NASS
REP. MICHAEL G. BEAULIEU

STAFF:

DANIELLE D. FOX, LEGISLATIVE ANALYST
OFFICE OF POLICY AND LEGAL ANALYSIS
13 STATE HOUSE STATION
AUGUSTA, ME 04333
(207) 287-1670

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

Enacted Law Summary

Public Law 2009, chapter 138 amends current law that allows for candidates for office to be exempt from submitting campaign finance reports if they raise or spend no money on campaigns so that this exemption applies only to county or municipal candidates.

LD 410 An Act To Improve Maine's Ethics Laws

**ACCEPTED ONTP
REPORT**

<u>Sponsor(s)</u>	<u>Committee Report</u>	<u>Amendments Adopted</u>
PLOWMAN	ONTP MAJ OTP-AM MIN	

This bill prohibits Legislators from soliciting donations or contributions from lobbyists on behalf of the Legislator's employer.

Committee Amendment "A" (S-172)

This amendment replaces the bill. It limits the prohibition on Legislators' soliciting or accepting donations or contributions on behalf of their employers proposed in the bill to Legislators who are employed by nonprofit corporations.

LD 429 An Act To Increase Retail Sales of Wine

ONTP

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

This bill repeals the limitation that a wine tasting for an off-premise establishment may only be held once a calendar month.

LD 430 An Act To Allow the Licensing of Minibars in Hotel Rooms

PUBLIC 458

<u>Sponsor(s)</u>	<u>Committee Report</u>	<u>Amendments Adopted</u>
TUTTLE SULLIVAN	OTP-AM	H-134 H-290 TRINWARD

Under this bill, a hotel owner that has or wants minibars in hotel rooms may, but is not required to, obtain a license for the minibars.

Committee Amendment "A" (H-134)

This amendment clarifies the definition of "minibar" and increases the license fee for a minibar from \$100 as

Joint Standing Committee on Legal and Veterans Affairs

proposed in the bill to \$200. The amendment also specifies that a person who rents a room that contains a minibar must present proper identification to show proof of age and that a minibar may only be stocked by an employee who is 21 years of age or older. This amendment also adds an appropriations and allocations section to the bill.

House Amendment "A" To Committee Amendment "A" (H-290)

This amendment requires the Department of Public Safety to implement the provisions of this Act using departmental personnel and resources.

Enacted Law Summary

Public Law 2009, chapter 458 authorizes the Department of Public Safety to license hotels or similar establishments to sell alcoholic beverages from mini-bars in guest rooms. Rooms that contain mini-bars may only be rented to patrons who are at least 21 years of age and display proper identification at the time of rental.

LD 497 An Act To Conserve Energy in Residential Leasehold Tenancies

PUBLIC 139

<u>Sponsor(s)</u>	<u>Committee Report</u>	<u>Amendments Adopted</u>
TUTTLE	OTP-AM	H-161

This bill allows a landlord and tenant to agree in a written lease for the landlord to provide heat at less than 68 degrees Fahrenheit to a minimum of 62 degrees Fahrenheit if the lease provides a reduction in rent or other consideration for the lower heat.

Committee Amendment "A" (H-161)

This amendment replaces the bill. The amendment allows a landlord and tenant to agree for the landlord to provide heat at less than 68 degrees Fahrenheit but no lower than 62 degrees Fahrenheit if the agreement is in a separate written document, includes a provision for revocation with reasonable notice by either party and provides for a fair and reasonable reduction in rent. The amendment clarifies that a landlord and tenant may not enter into such an agreement if someone older than 65 years of age or younger than 5 years of age resides on the premises.

Enacted Law Summary

Public Law 2009, chapter 139 allows a landlord and tenant to agree for the landlord to provide heat at less than 68 degrees Fahrenheit but no lower than 62 degrees Fahrenheit if the agreement is in a separate written document, includes a provision for revocation with reasonable notice by either party and provides for a fair and reasonable reduction in rent. The law clarifies that a landlord and tenant may not enter into such an agreement if someone older than 65 years of age or younger than 5 years of age resides on the premises.

LD 498 An Act Regarding Alcoholic Beverage Tastings

PUBLIC 459

<u>Sponsor(s)</u>	<u>Committee Report</u>	<u>Amendments Adopted</u>
TUTTLE PLOWMAN	OTP-AM MAJ ONTP MIN	H-281 H-545 WEBSTER S-326 DIAMOND