

# MAINE STATE LEGISLATURE

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**STATE OF MAINE**  
124<sup>TH</sup> LEGISLATURE  
FIRST REGULAR SESSION



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

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

July 2009

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# STATE OF MAINE

124<sup>TH</sup> 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 124<sup>th</sup> 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 124<sup>th</sup> 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*

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<br>PLOWMAN | OTP-AM MAJ<br>ONTP MIN  | H-281<br>H-545 WEBSTER<br>S-326 DIAMOND |