

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 758

An Act To Allow Municipalities and Counties To Require Bartender Training for Liquor Licensees

PUBLIC 81

| <u>Sponsor(s)</u> | <u>Committee Report</u> | <u>Amendments Adopted</u> |
|-------------------|-------------------------|---------------------------|
| HARLOW | OTP-AM | H-53 |

This bill provides that the Department of Public Safety, bureau of liquor licensing and enforcement may consider whether or not an establishment provides server training as required by municipal officers or county commissioners when issuing or renewing a license for an establishment that sells alcoholic beverages to be consumed on the premises.

Committee Amendment "A" (H-53)

This amendment replaces the bill. It provides that the Department of Public Safety, bureau of liquor licensing and enforcement may deny a license to serve alcohol to be served on the premises, if the individuals who will be serving alcoholic beverages have not received training through a program certified by the Department of Public Safety, bureau of liquor licensing and enforcement. This reason for denial would only apply if the county or municipality where the licensee has an establishment has adopted the requirement by local ordinance.

Enacted Law Summary

Public Law 2009, chapter 81 provides that the Department of Public Safety, bureau of liquor licensing and enforcement may deny a license to serve alcohol to be served on the premises, if the individuals who will be serving alcoholic beverages have not received training through a program certified by the Department of Public Safety, bureau of liquor licensing and enforcement. This reason for denial would only apply if the county or municipality where the licensee has an establishment has adopted the requirement by local ordinance.

LD 771

An Act Regarding Raffles Conducted by Nonprofit Organizations

PUBLIC 115

| <u>Sponsor(s)</u> | <u>Committee Report</u> | <u>Amendments Adopted</u> |
|-------------------|-------------------------|---------------------------|
| SULLIVAN | OTP-AM | S-81 |

This bill amends the provisions of law governing organizations eligible to conduct a raffle with a prize value between \$10,000 and \$75,000 to include nonprofit organizations that have had a presence in this State for at least 5 years and that have as a primary purpose educating the public and funding research to prevent and treat illnesses.

Committee Amendment "A" (S-81)

This amendment strikes the provisions of the bill, which amended the laws governing who is eligible for a raffle license and the limit on raffle licenses to be issued per year to a nonprofit organization. The amendment creates an exception to the current law that requires raffle tickets to be sold by actual members of the organization licensed to conduct the raffle. It provides that uncompensated volunteers may sell raffle tickets that offer a noncash prize as long as the names of the volunteers are provided to the Chief of the State Police within 10 days of issuance of the raffle license.

Enacted Law Summary