

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 901 An Act To Restrict the Size of Political Signs on Vehicles

ONTP

<u>Sponsor(s)</u>	<u>Committee Report</u>	<u>Amendments Adopted</u>
DOSTIE NUTTING J	ONTP	

This bill restricts the size of political signs on privately owned moving vehicles and on nonmoving vehicles to a maximum of 25 square feet between 6 weeks prior to and one week after an election, primary or referendum.

LD 902 An Act To Provide the Right of First Refusal to Mobile Home Park Residents

**LEAVE TO
WITHDRAW**

<u>Sponsor(s)</u>	<u>Committee Report</u>	<u>Amendments Adopted</u>
HILL HOBBINS	LTW	

This bill provides the tenants of a mobile home park that have incorporated as a cooperative affordable housing corporation with the right of first refusal to purchase the mobile home park from the owner within 45 days as long as it meets the same price, terms and conditions of any offer that the owner intends to accept to buy the park.

LD 903 An Act To Allow an Election Clerk To Request Proof of Identity from a Voter

ONTP

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

This bill requires a voter to produce proof of identity if requested by an election clerk before receiving a ballot to vote. If the voter does not produce proof of identity, then the clerk may designate the voter's ballot as a challenged ballot.

LD 904 An Act To Permit Brew Pubs To Sell Half-gallon Containers of Malt Liquor

PUBLIC 167

<u>Sponsor(s)</u>	<u>Committee Report</u>	<u>Amendments Adopted</u>
SMITH N PLOWMAN	OTP-AM	H-181

This bill allows a small brewery that holds an on-premises liquor license to be able to sell, on the premises during business hours, malt liquor produced at the brewery in half-gallon containers to be consumed off the premises.

Joint Standing Committee on Legal and Veterans Affairs

Committee Amendment "A" (H-181)

This amendment replaces the bill. The amendment permits breweries that have a license to sell alcoholic beverages for on-premises consumption to sell malt liquor produced at the brewery to patrons for off-premises consumption. The amendment places conditions on such sales, including the requirement that the malt liquor be dispensed into bottles unique to the brewery and that are closed with a tamper-evident seal. Such bottles are not permitted to be consumed on the premises, must be accompanied by a sales receipt and may not be sold after 10:00 PM.

Enacted Law Summary

Public Law 2009, chapter 167 permits breweries that have a license to sell alcoholic beverages for on-premises consumption to sell malt liquor produced at the brewery to patrons for off-premises consumption. It places conditions on such sales, including the requirement that the malt liquor be dispensed into bottles unique to the brewery and that are closed with a tamper-evident seal. Such bottles are not permitted to be consumed on the premises, must be accompanied by a sales receipt and may not be sold after 10:00 PM.

LD 921 An Act To Eliminate Maine Clean Election Act Funding for Gubernatorial Candidates

**DIED IN
CONCURRENCE**

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

This bill eliminates Maine Clean Election Act funding for gubernatorial candidates.

LD 923 Resolve, To Reduce Funding to Maine Clean Election Act Candidates

RESOLVE 128

<u>Sponsor(s)</u>	<u>Committee Report</u>	<u>Amendments Adopted</u>
MCCORMICK	OTP-AM	H-533 TRINWARD S-287

This resolve provides that the amount distributed to certified candidates by the Commission on Governmental Ethics and Election Practices pursuant to the Maine Clean Election Act during the 2010 election cycle must be 20% less than the amount distributed to certified candidates by the commission during the 2008 election cycle.

Committee Amendment "A" (S-287)

This amendment removes the requirement that Maine Clean Election Act distributions for 2010 be reduced by 20% and provides that 2010 distributions for certified legislative candidates be equal to the amounts distributed in 2008. The amendment also adds an appropriations and allocations section.

House Amendment "A" To Committee Amendment "A" (H-533)

This amendment provides that the Commission on Governmental Ethics and Election Practices shall make distributions to legislative candidates certified as participating candidates under the Maine Clean Election Act at 2008 levels and to gubernatorial candidates in accordance with the distributions provided by the Maine Revised