

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
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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.

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This bill also grants routine technical rule-making authority to the Department of Public Safety's division of liquor licensing and compliance to ensure that bottles of wine received under a wine connoisseur permit comply with the bottle deposit law.

The bill also establishes a specialty wine permit. The permit provides that a person who ferments, ages and bottles that person's own wine may ship up to 50 9-liter cases of wine annually to wine connoisseur permit holders. The annual fee for a specialty wine permit is \$100. The bill also grants routine technical rule-making authority to the division to ensure that specialty wine permit holders sell and deliver the wine only to qualified wine connoisseur permit holders and directs the division to include annual reporting guidelines in the rules.

The bill allows a farm winery license holder to sell wine outside of the State as long as the farm winery complies with the laws of the jurisdiction where the wine is delivered.

The bill requires that, except for purchase by licensees, all purchases of liquor must be made in person.

LD 1041 An Act To Alter the Mechanism by which a Political Party is a Qualified Party

PUBLIC 426

<u>Sponsor(s)</u>	<u>Committee Report</u>	<u>Amendments Adopted</u>
CAREY	OTP	

This bill eliminates the requirement that for a political party to participate in a primary election it must poll at least 5% of the total vote cast for Governor or President in either of the last 2 general elections and adds a new requirement that at least 10,000 members of the party must have voted in the last general election in order for the party to participate in a primary election.

Enacted Law Summary

Public Law 2009, chapter 426 eliminates the requirement that for a political party to participate in a primary election it must poll at least 5% of the total vote cast for Governor or President in either of the last 2 general elections and adds a new requirement that at least 10,000 members of the party must have voted in the last general election in order for the party to participate in a primary election.

LD 1065 An Act To Change the Campaign Finance Laws Pertaining to Campaign Contributions To Allow for Increases Indexed to Inflation

LEAVE TO WITHDRAW

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

This bill raises the gubernatorial campaign contribution limit from \$500 to \$1,000 for any election. It also raises the campaign contribution limit for all other candidates from \$250 to \$350 for any election. This bill also allows a candidate to raise money for a primary and a general election at the same time as long as the contribution is distributed into 2 separate accounts and that the total contribution does not exceed the total contribution limit of \$2,000 for a gubernatorial candidate, not to exceed \$1,000 for the primary election and \$1,000 for the general election, or \$700 for any other candidate, not to exceed \$350 for the primary election and \$350 for the general

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election. The bill also ties the contribution limits to the Consumer Price Index published by the United States Department of Labor, Bureau of Labor Statistics every 2 years, with the calculations beginning in September 2011. An adjustment will be made based on the difference between the Consumer Price Index on the date of calculation and the Consumer Price Index on the date of the base period, September 1, 2009. If this adjustment does not create an amount that is a multiple of \$25, it will be rounded to the nearest multiple of \$25. The bill also authorizes the commission to submit legislation to adjust the contribution limits to reflect the indexing.

LD 1074 An Act To Promote Responsible Sales of Alcoholic Beverages

**ACCEPTED ONTP
REPORT**

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

This bill requires that any person who sells or serves alcoholic beverages to any person must verify that person's age through photo identification. It also requires that licensees post a sign regarding that requirement in a prominent location visible to patrons of the establishment. The bill requires any person hired by a licensee who will sell or serve alcoholic beverages to successfully complete seller server training within 30 days of employment. The bill adds to the approval criteria for training courses that refresher courses be available and that training be available online. Finally, this bill requires the Commissioner of Public Safety to recommend graduated penalties for failure to comply with the identification requirement proposed in this bill.

Committee Amendment "A" (H-266)

This amendment removes the requirement that licensees who sell or serve alcoholic beverages get mandatory training. It also changes from 27 to 35 years of age the maximum age of a person who may be required to present identification to purchase alcoholic beverages.

LD 1080 Resolve, To Create a Working Group To Study Landlord and Tenant Issues

RESOLVE 137

<u>Sponsor(s)</u>	<u>Committee Report</u>	<u>Amendments Adopted</u>
TUTTLE	OTP-AM MAJ ONTP MIN	H-489 S-319 BARTLETT

Committee Amendment "A" (H-489)

This amendment replaces the resolve and changes the title. The amendment directs the Attorney General to convene a working group to study certain issues related to the laws governing landlords and tenants rather than establishing a blue ribbon commission with Legislators as proposed in the bill. The amendment requires the Attorney General to notify members of the Joint Standing Committee on Legal and Veterans Affairs of working group meetings and provide copies of minutes of meetings. The amendment requires the working group to report to the Joint Standing Committee on Legal and Veterans Affairs by January 15, 2010. It also adds an appropriations and allocations section.

House Amendment "B" To Committee Amendment "A" (H-546)