

# 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*

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)**

## *Joint Standing Committee on Legal and Veterans Affairs*

This amendment removes the Attorney General or the Attorney General's designee from the working group to study issues related to landlords and tenants.

House Amendment "B" to Committee Amendment "A" was adopted in the House, but indefinitely postponed in the Senate. The substantive provisions in House Amendment "B" were incorporated into Senate Amendment "A".

### **House Amendment "A" To Committee Amendment "A" (H-544)**

This amendment removes the Attorney General or the Attorney General's designee from the working group to study issues related to landlords and tenants.

House Amendment "A" to Committee Amendment "A" was not adopted.

### **Senate Amendment "A" To Committee Amendment "A" (S-319)**

Like House Amendment "B" to Committee Amendment "A" (H-546), this amendment removes the Attorney General or the Attorney General's designee from the working group to study issues related to landlords and tenants. This amendment also strikes the provision of staffing assistance being provided by the Legislative Council.

### **Enacted Law Summary**

Resolve 2009, chapter 137 directs the Executive Director of the Maine State Housing Authority to convene a working group to study certain issues related to the laws governing landlords and tenants. The resolve requires the working group to report to the Joint Standing Committee on Legal and Veterans Affairs by January 15, 2010.

**LD 1081      An Act To Clarify the Laws on Licensing for Charitable and Fraternal Organizations and Games of Chance      ONTP**

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

This bill allows nonprofit organizations to conduct games of chance without a license.

**LD 1110      Resolve, Directing the Bureau of Maine Veterans' Services To Report on Homeless Veterans      RESOLVE 72**

<u>Sponsor(s)</u>	<u>Committee Report</u>	<u>Amendments Adopted</u>
CORNELL DU HOUX SULLIVAN	OTP-AM	H-265

This resolve establishes a study commission to review and examine, in consultation with a representative of the Veterans Administration, the issue of homeless veterans, who are reported to constitute at least 1/3 of the nation's homeless population, and to examine causes, possible solutions and what further assistance can be given to homeless veterans in the State.

### **Committee Amendment "A" (H-265)**

This amendment replaces the resolve and directs the Department of Defense, Veterans and Emergency Management, Bureau of Maine Veterans' Services to work with existing groups to examine the issue of homeless veterans and