

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.

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

Sponsor(s)

TARDY
TRAHAN

Committee Report

ONTP

Amendments Adopted

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

Sponsor(s)

CORNELL DU HOUX
SULLIVAN

Committee Report

OTP-AM

Amendments Adopted

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

Joint Standing Committee on Legal and Veterans Affairs

recommend possible solutions and ways to assist veterans who are homeless.

Enacted Law Summary

Resolve 2009, chapter 72 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 recommend possible solutions and ways to assist veterans who are homeless.

LD 1111 An Act To Promote Transparency and Accountability in Campaigns and Governmental Ethics

PUBLIC 258

<u>Sponsor(s)</u>	<u>Committee Report</u>	<u>Amendments Adopted</u>
TRINWARD SULLIVAN	OTP-AM	H-282

This bill concerns transparency and accountability in campaigns and legislative ethics. The bill amends the definition of "gift." The bill changes the provisions regarding conflict of interest and undue influence. It makes the legislative standard for conflict of interest clearer and requires that Legislators be financially affected to a significantly greater extent than members in the same enterprise, profession, trade, business or type of employment in order to have a conflict of interest. It requires lobbyists to submit a digital picture and a list of the committees they will be lobbying and the publishing of a lobbyist listing so that Legislators will have a better sense of who the lobbyist they interact with represents. It changes the definition of "close economic associate." It prohibits candidates and their spouses from serving as campaign treasurers and deputy treasurers. It establishes a contribution limit to political action committees of \$10,000 from any one source per election cycle.

Committee Amendment "A" (H-282)

This amendment replaces the bill. Like the bill, this amendment makes changes to the type of conduct that would be considered undue influence, which is a violation of legislative ethics, by a Legislator. In addition, this amendment clarifies the definition of "gift" for the purposes of governing legislative ethics.

Enacted Law Summary

Public Law 2009, chapter 258 amends the definition of gift with regard to disclosures required by legislators and amends the laws that govern violations of legislative ethics to clarify what constitutes undue influence.

LD 1112 An Act To Establish a Recall Procedure for Elected Officials

ONTP

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

This bill establishes a recall procedure for federal, state and local elected officials.