

MAINE STATE LEGISLATURE

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STATE OF MAINE
124TH LEGISLATURE
SECOND REGULAR SESSION



Summaries of bills, adopted amendments and laws enacted or finally passed during the Second Regular Session of the 124th Maine Legislature coming from the

**JOINT STANDING COMMITTEE ON LEGAL AND
VETERANS' AFFAIRS**

April 2010

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STATE OF MAINE

124TH LEGISLATURE
SECOND 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 Second 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:

<i>CARRIED OVER</i>	<i>Carried over to a subsequent session of the Legislature</i>
<i>CON RES XXX</i>	<i>Chapter # of Constitutional Resolution passed by both Houses</i>
<i>CONF CMTE UNABLE TO AGREE</i>	<i>Committee of Conference unable to agree; bill died</i>
<i>DIED BETWEEN HOUSES</i>	<i>House & Senate disagree; bill died</i>
<i>DIED IN CONCURRENCE</i>	<i>One body accepts ONTP report; the other indefinitely postpones the bill</i>
<i>DIED ON ADJOURNMENT</i>	<i>Action incomplete when session ended; bill died</i>
<i>EMERGENCY</i>	<i>Enacted law takes effect sooner than 90 days</i>
<i>FAILED EMERGENCY ENACTMENT/FINAL PASSAGE</i>	<i>Emergency bill failed to get 2/3 vote</i>
<i>FAILED ENACTMENT/FINAL PASSAGE</i>	<i>Bill failed to get majority vote</i>
<i>FAILED MANDATE ENACTMENT</i>	<i>Bill imposing local mandate failed to get 2/3 vote</i>
<i>NOT PROPERLY BEFORE THE BODY</i>	<i>Ruled out of order by the presiding officers; bill died</i>
<i>INDEF PP</i>	<i>Bill Indefinitely Postponed; bill died</i>
<i>ONTP (or Accepted ONTP report)</i>	<i>Ought Not To Pass report accepted; bill died</i>
<i>P&S XXX</i>	<i>Chapter # of enacted Private & Special Law</i>
<i>PUBLIC XXX</i>	<i>Chapter # of enacted Public Law</i>
<i>RESOLVE XXX</i>	<i>Chapter # of finally passed Resolve</i>
<i>UNSIGNED</i>	<i>Bill held by Governor</i>
<i>VETO SUSTAINED</i>	<i>Legislature failed to override Governor's Veto</i>

The effective date for non-emergency legislation enacted in the Second Regular Session of the 124th Legislature is Monday, July 12, 2010. 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 1629 An Act To Streamline Wine Registration Requirements

ONTP

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

Currently, under rules adopted by the Department of Public Safety, Bureau of Liquor Licensing and Compliance, the fee to register a wine label is \$10. This bill increases the fee to \$20 and specifies that if the same wine is later offered as a different vintage, a new label is not required.

LD 1630 An Act To Clarify the Laws Governing Instant Redeemable Coupons Included with a Spirits Product

PUBLIC 504

<u>Sponsor(s)</u>	<u>Committee Report</u>	<u>Amendments Adopted</u>
FITTS	OTP-AM	H-634

This bill clarifies that instant redeemable coupons included with a spirits product may be attached to the product by an agent of the manufacturer or the manufacturer's sales representative. Current law allows only the manufacturer to attach the coupons.

Committee Amendment "A" (H-634)

This amendment provides that an instant redeemable coupon on a spirits product may be offered by the spirits product manufacturer's agent or sales representative and must be made available to all agency store licensees who wish to participate in a coupon promotion and is for the benefit of the consumer only.

Enacted Law Summary

Public Law 2009, chapter 504 provides that an instant redeemable coupon on a spirits product may be offered by the spirits product manufacturer's agent or sales representative and must be made available to all agency store licensees who wish to participate in a coupon promotion and is for the benefit of the consumer only.

LD 1656 Resolve, To Transfer the Ownership of the Bath Armory to the City of Bath

RESOLVE 143

<u>Sponsor(s)</u>	<u>Committee Report</u>	<u>Amendments Adopted</u>
GOODALL	OTP-AM	S-351

This resolve transfers the ownership of the Bath Armory to the City of Bath as permitted by statute for the sum of \$1.

Committee Amendment "A" (S-351)

This amendment strikes the requirement that the Bath Armory be transferred to the City of Bath for \$1 and requires

Joint Standing Committee on Legal and Veterans Affairs

that the Bath Armory be transferred to the City of Bath for no less than \$175,000.

Enacted Law Summary

Resolves 2009, chapter 143 requires that the Bath Armory be transferred to the City of Bath for no less than \$175,000.

LD 1667 An Act To Amend the Election Laws and Other Related Laws

PUBLIC 538

<u>Sponsor(s)</u>	<u>Committee Report</u>	<u>Amendments Adopted</u>
SULLIVAN	OTP-AM	S-384

The bill corrects an inconsistency between the Maine Revised Statutes, Title 1 and Title 21-A with regard to the period of time that the Office of Fiscal and Program Review has to prepare an estimate of the fiscal impact of each constitutional resolution or statewide referendum on state revenues, appropriations and allocations. The bill clarifies the qualifications of the registrar of voters and what other positions the registrar is prohibited from seeking or holding. The bill allows the warden, ward clerk and deputy wardens of a municipality to be registered voters of the county, rather than requiring them to be registered voters of the municipality. The bill removes the requirements that the fiscal impact statement for direct initiatives of legislation must be posted with the sample ballots at least seven days before election day and posted in each booth on election day. The bill clarifies that any member of the public may inspect absentee ballot envelopes and applications before they are processed, according to certain procedures and times specified in law. The bill also makes grammatical changes and fixes gender-specific language.

Committee Amendment "A" (S-384)

This amendment replaces the provision in the bill that allows a person who is not a resident of a municipality to serve as warden, ward clerk or deputy warden for that municipality, as long as that person is a resident of the county. The amendment specifies that this exception is allowed on a per election basis only in the event of a vacancy in the warden, ward clerk or deputy warden position. The amendment strikes the provision in the bill that required the fiscal impact statement on direct initiatives to be available to a voter upon request instead of in the voting booth as in current law. The amendment specifies that the fiscal impact statement must be posted with sample ballots outside the guardrail in the voting place so as to be visible to voters.

Enacted Law Summary

Public Law 2009, chapter 538 clarifies that any member of the public may inspect absentee ballot envelopes and applications before they are processed, according to certain procedures and times specified in law. It provides that a person who is not a resident of a municipality may serve as warden, ward clerk or deputy warden for that municipality, as long as that person is a resident of the county. This exception is allowed on a per election basis only in the event of a vacancy in the warden, ward clerk or deputy warden position. Chapter 538 specifies that the fiscal impact statement on constitutional amendments and statewide referenda must be posted with sample ballots outside the guardrail in the voting place so as to be visible to voters. This law also makes several grammatical changes and fixes gender-specific language.