

MAINE STATE LEGISLATURE

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STATE OF MAINE
125TH LEGISLATURE
FIRST REGULAR SESSION



Summaries of bills, adopted amendments and laws enacted or finally passed

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

July 2011

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STATE OF MAINE
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LEGISLATIVE DIGEST OF BILL SUMMARIES AND
ENACTED LAWS

This *Legislative Digest of Bill Summaries and Enacted Laws* summarizes all LDs and adopted amendments and all laws enacted or finally passed during the First Regular Session of the 125th Maine Legislature.

The *Digest* is arranged alphabetically by committee and within each committee by Legislative Document (LD) number. The committee report(s), prime sponsor and lead co-sponsor(s), if designated, are listed below each LD 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 LD is noted to the right of the LD title. The following describes the various final actions.

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; legislation died
DIED BETWEEN HOUSES..... House & Senate disagreed; legislation died
DIED IN CONCURRENCE..... defeated in each house, but on different motions; legislation died
DIED ON ADJOURNMENT..... action incomplete when session ended; legislation died
EMERGENCY..... enacted law takes effect sooner than 90 days after session adjournment
FAILED, EMERGENCY ENACTMENT or FINAL PASSAGE emergency failed to receive required 2/3 vote
FAILED, ENACTMENT or FINAL PASSAGE..... failed to receive final majority vote
FAILED, MANDATE ENACTMENT legislation proposing local mandate failed required 2/3 vote
HELD BY GOVERNOR..... Governor has not signed; final disposition to be determined at subsequent session
LEAVE TO WITHDRAW..... sponsor's request to withdraw legislation granted
NOT PROPERLY BEFORE THE BODY ruled out of order by the presiding officer; legislation died
INDEF PP..... indefinitely postponed; legislation died
ONTP, ACCEPTED, MAJORITY, MINORITY or REPORT X... ought-not-to-pass report accepted; legislation died
P&S XXX..... chapter # of enacted private & special law
PUBLIC XXX..... chapter # of enacted public Law
RESOLVE XXX..... chapter # of finally passed resolve
VETO SUSTAINED..... Legislature failed to override Governor's veto

The effective date for non-emergency legislation enacted in the First Regular Session of the 125th Legislature is September 28, 2011. The effective date for legislation enacted as an emergency measure may be found in the enacted law summary for that legislation.

Joint Standing Committee on Veterans and Legal Affairs

LD 103 **An Act To Improve the Access of Beer and Wine Licensees to Agency Liquor Store Licenses** **ONTP**

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

This bill provides that the Department of Public Safety, Bureau of Liquor Enforcement may not deny an agency liquor store license to an off-premise retail licensee who is licensed to sell malt liquor and wine solely because of proximity to an existing agency liquor store or the impact of the proposed license on existing agency liquor store licensees.

LD 120 **An Act To End Taxpayer-funded Campaigns for Gubernatorial Candidates** **Carried Over**

<u>Sponsor(s)</u>	<u>Committee Report</u>	<u>Amendments Adopted</u>
CLARK T		

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

This bill was carried over to any special and/or regular session of the 125th Legislature by joint order, H.P. 1190.

LD 142 **An Act To Improve Party Status Requirements** **PUBLIC 227**

<u>Sponsor(s)</u>	<u>Committee Report</u>	<u>Amendments Adopted</u>
CHIPMAN	OTP-AM	H-184 CHIPMAN H-41

This bill removes the requirement that, in order to participate in a primary election, a political party must hold at least one municipal caucus in each county in the State.

Committee Amendment "A" (H-41)

This amendment strikes the provision that eliminates the requirement for municipal caucuses in each county as a criterion for maintaining status as a political party. The amendment replaces that provision with the requirement that a party must hold a municipal caucus in a minimum of 12 counties.

House Amendment "A" To Committee Amendment "A" (H-184)

This amendment increases the minimum number of counties in which municipal caucuses must be held from 12, as proposed in Committee Amendment "A," to 14.

Enacted Law Summary

Joint Standing Committee on Veterans and Legal Affairs

Public Law 2011, chapter 227 changes one of the criteria that permits a political party to participate in a primary by reducing the minimum number of counties in which a party must hold a municipal caucus from 16 to 14.

**LD 172 An Act To Exempt Nonprofit Organizations from the Laws Governing LEAVE TO
Serving Alcohol near a Church WITHDRAW**

<u>Sponsor(s)</u>	<u>Committee Report</u>	<u>Amendments Adopted</u>
MACDONALD TRAHAN	LV/WD	

This bill exempts a nonprofit organization from the prohibition against licensing premises that are within 300 feet of a church, chapel or parish house for the sale of liquor to be consumed on the premises.

LD 178 An Act Relating to Distribution of Revenues from Future Casinos ONTP

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

This bill directs the Gambling Control Board within the Department of Public Safety to submit legislation regarding the distribution of net gambling revenue from table games and slot machines for any new gaming facility authorized by initiative or enactment by the Legislature.

**LD 179 An Act To Prohibit the Issuance of a Duplicate Absentee Ballot under PUBLIC 40
Certain Circumstances**

<u>Sponsor(s)</u>	<u>Committee Report</u>	<u>Amendments Adopted</u>
NUTTING RAYE	OTP-AM	H-58

This bill prohibits a municipal clerk from issuing a second state absentee ballot to an applicant after a ballot has been returned by the applicant to the clerk, except for good cause, and stipulates that an applicant's decision to change a vote does not constitute good cause.

Committee Amendment "A" (H-58)

This amendment prohibits a clerk from issuing a duplicate absentee ballot once an absentee ballot is marked and submitted to the clerk.

Enacted Law Summary

Public Law 2011, chapter 40 prohibits an election clerk from issuing a duplicate absentee ballot once an absentee ballot is marked and submitted to the clerk.