

# MAINE STATE LEGISLATURE

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**STATE OF MAINE**  
125<sup>TH</sup> 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 125<sup>th</sup> 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 125<sup>th</sup> 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 901**      **An Act To Prohibit Individuals under 21 Years of Age from Being in Certain Establishments Licensed To Sell Alcohol**      **ONTP**

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

This bill repeals the exceptions that allow minors to be on the premises of establishments licensed to sell alcohol as a Class A lounge and clarifies that minors are not allowed on the premises.

**LD 902**      **An Act To Require That Liquor Be Sold at a Profit**      **ONTP**

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

This bill prohibits the sale of liquor at a price that does not provide a profit to the seller.

**LD 905**      **An Act To Improve Maine's Liquor Distribution System**      **Carried Over**

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

This bill is a concept draft pursuant to Joint Rule 208. This bill proposes to adopt certain of the recommendations contained in the report entitled "State of Maine Liquor Business Analysis and Valuation - Final Report," prepared by DeLoitte & Touche for the Department of Administrative and Financial Services, Bureau of Alcoholic Beverages and Lottery Operations and dated March 11, 2009.

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

**LD 907**      **An Act To Amend the Agency Liquor Store Laws**      **LEAVE TO WITHDRAW**

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

*Joint Standing Committee on Veterans and Legal Affairs*

This bill allows the relocation of an agency liquor store within the same municipality as the old location if notice is given to the municipality, the new location meets or exceeds the licensing criteria of the old location, the new location is not within 300 feet of another agency liquor store unless the old location was within 300 feet of another agency liquor store and the store has not relocated within the previous five-year period.

**LD 943      An Act To Amend the Laws Governing the Eviction of Residential Tenants      ONTP**

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

This bill provides that the tenant in an eviction action has seven days in which to appeal the judgment. Current law allows the tenant to file an appeal until the writ of possession is issued, which the court must issue seven days after the judgment. The bill does not change the requirement that the tenant must move out within 48 hours after being served with the writ of possession.

**LD 968      An Act To Require Participating Candidates Who Are Principal Officers of Political Action Committees To Give a Percentage of Funds to the Maine Clean Election Fund      ONTP**

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

This bill requires a candidate for the Senate or House who is a participating candidate in the Maine Clean Election Act and a principal officer of a political action committee established for the purpose of promoting the election or defeat of another candidate to deposit a percentage of the contributions received by the political action committee to the Maine Clean Election Fund. Deposits to the fund are capped at \$5,000 for Senate candidates and \$1,000 for House candidates.

**LD 974      An Act To Revise the Laws on Tournament Games      PUBLIC 325**

<u>Sponsor(s)</u>	<u>Committee Report</u>	<u>Amendments Adopted</u>
MALONEY PATRICK	OTP-AM	H-179

This bill revises the laws concerning tournament games of chance involving playing cards by allowing up to five tournament games per month and by replacing the graduated license fee that is determined by the number of players with a flat fee of \$100 per tournament game, \$300 per month or \$1,200 per year.

**Committee Amendment "A" (H-179)**

This amendment reduces the number of monthly tournament games proposed by the bill from five to two. It replaces the license fee section of the bill with a fee structure that allows for a tournament that does not exceed 100 players to