

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.

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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

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have a per tournament, monthly or annual license fee. For tournament games with over 100 players, the per tournament fee structure is the same as in existing law. The amendment also clarifies that the total amount of bets received for winner-take-all rounds must be paid to the winner or winners of the round and that all prizes awarded in conjunction with tournament games must be cash.

Enacted Law Summary

Public Law 2011, chapter 325 increases the number of monthly tournament games authorized to be conducted by a charitable nonprofit organization from two to five. It replaces the license fee structure in current law with a fee structure that allows for a tournament that does not exceed 100 players to have a per tournament, monthly or annual license fee. For tournament games with over 100 players, the per tournament fee structure is the same as in existing law. This law also authorizes the licensee to run a 50-50 raffle and one \$5 maximum winner take-all round in conjunction with the tournament. Under chapter 325, the total amount of bets received for winner-take-all rounds must be paid to the winner or winners of the round and all prizes awarded in conjunction with tournament games must be cash.

LD 985 An Act Regarding Establishing a Slot Machine Facility

DIED BETWEEN HOUSES

Sponsor(s)

Committee Report

Amendments Adopted

ONTP MAJ
OTP-AM MIN

This initiated bill authorizes the establishment of a slot machine facility in a municipality with a population of at least 30,000 in which slot machines were not in operation as of July 1, 2010 if the person who applies for a license to operate slot machines holds an option to purchase real property located in and owned by that municipality that was in effect on July 1, 2010 and approved by the voters of the municipality no later than July 1, 2010. The initiated bill removes the existing limit on the total number of slot machines that may be registered in this State, 1,500 machines, and replaces it with a limit of 1,500 slot machines at each licensed slot machine facility. The initiated bill provides for regulation of the slot machine facility authorized in the initiated bill by the Gambling Control Board. The slot machine operator would be required to collect and distribute 1% of gross slot machine income to the Treasurer of State for deposit in the General Fund for the administrative expenses of the Gambling Control Board. The initiated bill also requires the slot machine operator to collect and distribute 40% of net slot machine income to the board for distribution to various entities, in specified percentages for a variety of purposes that are also specified in the bill.

LD 989 An Act To Improve Transparency in Political Campaigns by Providing Quicker Access to Reports

PUBLIC 367

Sponsor(s)

Committee Report

Amendments Adopted

PATRICK

OTP-AM

S-232

This bill moves up by one week the last quarterly report before a November election required of political action committees and party committees for the reporting of contributions and expenditures.

Committee Amendment "A" (S-232)

This amendment changes the date proposed by the bill when political action and party committees must submit their