

# 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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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.

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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

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last quarterly reports before a November election from October 3rd to October 5th.

**Enacted Law Summary**

Public Law 2011, chapter 367 changes the date when political action and party committees must submit their last quarterly reports before a November election from October 10th to October 5th.

**LD 1000      Resolve, Directing the Secretary of State To Examine Centralization of the Petition Signature Verification Process      RESOLVE 75**

<u>Sponsor(s)</u>	<u>Committee Report</u>	<u>Amendments Adopted</u>
CHIPMAN	OTP-AM	H-507

This bill requires the Secretary of State rather than the registrars to verify signatures on petitions. The Secretary of State is required to verify the signatures on primary petitions, nomination petitions, citizen initiatives and people's veto referenda. The Secretary of State is required to fund the system of centralized voter signature verification within existing budgeted resources, although the Secretary of State may seek outside grant funding.

**Committee Amendment "A" (H-507)**

This amendment replaces the bill and creates a resolve directing the Secretary of State to examine the feasibility of centralizing the process for verifying signatures on candidate petitions, citizens' initiatives and people's veto referendum petitions.

**Enacted Law Summary**

Resolve 2011, chapter 75 directs the Secretary of State to examine the feasibility of centralizing the process for verifying signatures on candidate petitions, citizens' initiatives and people's veto referendum petitions.

**LD 1006      An Act To Provide a Remedy to Property Owners When a Tenant Defaults on a Lease      PUBLIC 122**

<u>Sponsor(s)</u>	<u>Committee Report</u>	<u>Amendments Adopted</u>
MOULTON	OTP-AM	H-180

In *Rubin v. Josephson*, 478 A.2d 665 (Me. 1984), the Supreme Judicial Court held that, when a residential lease does not contain termination language, the landlord may not use the tenancy at will provisions of state law to terminate the lease. In those cases, the only remedy available to a landlord when there is nonpayment of rent by the tenant is the use of a forcible entry and detainer action. In response to that case, this bill allows a landlord, after providing notice and service, and with cause, as provided in the tenancy at will statute, to terminate a lease that does not contain termination, default or forfeiture language.

**Committee Amendment "A" (H-180)**

The bill provides that when a lease fails to contain termination language, the landlord may terminate the lease by providing the tenant with seven days' notice and proof of cause. The amendment continues that provision but additionally allows the tenant to terminate such a lease or contract by providing the landlord with seven days' notice in the event of a substantial breach of a provision of the lease or contract. This amendment also removes the emergency preamble and emergency clause and the application section, which applied the bill's provisions to