

# MAINE STATE LEGISLATURE

The following document is provided by the  
**LAW AND LEGISLATIVE DIGITAL LIBRARY**  
at the Maine State Law and Legislative Reference Library  
<http://legislature.maine.gov/lawlib>



Reproduced from electronic originals  
(may include minor formatting differences from printed original)

STATE OF MAINE  
126<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 2013

**STAFF:**

DANIELLE D. FOX, LEGISLATIVE ANALYST  
COLLEEN MCCARTHY REID, LEGISLATIVE ANALYST  
OFFICE OF POLICY AND LEGAL ANALYSIS  
13 STATE HOUSE STATION  
AUGUSTA, ME 04333  
(207) 287-1670

**MEMBERS:**

SEN. JOHN L. TUTTLE, JR., CHAIR  
SEN. JOHN L. PATRICK  
SEN. GARRETT PAUL MASON

REP. LOUIS J. LUCHINI, CHAIR  
REP. DIANE RUSSELL  
REP. THOMAS R. W. LONGSTAFF  
REP. LORI FOWLE  
REP. ROBERT J. SAUCIER  
REP. JOHN C. SCHNECK  
REP. MICHAEL G. BEAULIEU  
REP. DAVID D. JOHNSON  
REP. JEFFREY ALLEN GIFFORD  
REP. JONATHAN L. KINNEY  
REP. WAYNE T. MITCHELL

# STATE OF MAINE

126<sup>TH</sup> LEGISLATURE

FIRST REGULAR SESSION



## LEGISLATIVE DIGEST OF BILL SUMMARIES AND ENACTED LAWS

This *Legislative Digest of Bill Summaries and Enacted Laws* contains summaries of all LDs and adopted amendments and all laws enacted or finally passed during the First Regular Session of the 126<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 126<sup>th</sup> Legislature is October 9, 2013. 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*

Public Law 2013, chapter 85 conforms the statutory provisions of Maine law regarding reapportionment of congressional districts and county commissioner districts to reflect the reapportionment procedures specified in the Constitution of Maine.

**LD 575      An Act To Amend the Laws Relating to Radon Testing**

**ONTP**

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

This bill amends the laws concerning radon testing by:

1. Removing the requirement that all residential housing units be tested for radon by March 1, 2014 and every 10 years thereafter;
2. Allowing, instead of requiring, landlords and people acting on behalf of landlords to conduct radon tests and allowing tenants to conduct radon tests;
3. Applying the radon testing laws to only residential housing units located below the third story above the ground floor of a building;
4. Removing the requirement that a landlord or a person acting on the landlord's behalf provide notice of a positive radon test if a subsequent test indicates there is no presence of radon;
5. Allowing a landlord or person acting on behalf of a landlord to terminate a lease or tenancy at will following a test indicating the presence of radon as an alternative to mitigation; and
6. Requiring a landlord or a person acting on behalf of a landlord to provide notice to tenants that a common area of a building tests positive for radon. If there is no presence of radon in a residential housing unit a tenant may use the common area at the tenant's discretion.

See related bill, LD 328, An Act Relating to Radon Testing and Disclosure to Tenants, which was enacted as Public Law 2013, chapter 324.

**LD 592      An Act To Amend the Laws Dealing with the Purchase of Wine Online**

**ONTP**

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

Current law allows a person to purchase wine online from a winery that has obtained a wine direct shipper license from the State.

This bill expands the law so that a person can purchase wine online from a wine retailer as long as the wine retailer has obtained a wine direct shipper license. The bill also exempts a wine retailer or winery that qualifies for a wine direct shipper license and agrees to ship no more than 100 bottles into the State in a calendar year from the \$200 application fee.