

MAINE STATE LEGISLATURE

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STATE OF MAINE
126TH 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:

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STATE OF MAINE

126TH LEGISLATURE
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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 126th 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 126th 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

LD 1270 An Act To Provide That Innkeepers and Certain Campground Operators Are Not Considered Landlords

**PUBLIC 209
EMERGENCY**

<u>Sponsor(s)</u>	<u>Committee Report</u>	<u>Amendments Adopted</u>
VEROW THOMAS	OTP	

This bill clarifies that an innkeeper and an operator of a membership campground are not considered landlords and that guests of hotels, motels, inns, lodges and membership campgrounds are not considered tenants pursuant to the landlord and tenant laws as provided in the Maine Revised Statutes, Title 14. The bill also allows an owner or manager of an inn, hotel, restaurant, lodging house, boardinghouse or camping area to request a law enforcement officer to remove a guest who is causing unnecessary disturbance to other persons, who is unwilling or unable to pay for the accommodations or services or who is damaging or destroying property belonging to the inn, hotel, restaurant, lodging house, boardinghouse or camping area.

Enacted Law Summary

Public Law 2013, chapter 209 clarifies that an innkeeper and an operator of a membership campground are not considered landlords and that guests of hotels, motels, inns, lodges and membership campgrounds are not considered tenants pursuant to the landlord and tenant laws as provided in the Maine Revised Statutes, Title 14. The law also allows an owner or manager of an inn, hotel, restaurant, lodging house, boardinghouse or camping area to request a law enforcement officer to remove a guest who is causing unnecessary disturbance to other persons, who is unwilling or unable to pay for the accommodations or services or who is damaging or destroying property belonging to the inn, hotel, restaurant, lodging house, boardinghouse or camping area.

Public Law 2013, chapter 209 was enacted as an emergency measure effective June 5, 2013.

LD 1271 An Act Regarding Penalties for Campaign Finance Reporting Violations and Late Filing by Political Action Committees and Ballot Question Committees

**VETO
SUSTAINED**

<u>Sponsor(s)</u>	<u>Committee Report</u>	<u>Amendments Adopted</u>
CAREY TUTTLE	OTP-AM	H-340

This bill makes the following changes to the laws governing campaign finance reporting and disclosure:

1. It authorizes a Governor-elect to establish a committee for the purpose of receiving donations to finance inaugural activities and the Governor-elect's transition into office and establishes requirements regarding disclosure and lobbying;
2. It authorizes the Commission on Governmental Ethics and Election Practices to impose enhanced penalties for campaign finance violations occurring shortly before election day;
3. It defines "bundled contribution" and requires that party committees and political action committees report the name, address and employer of each person reasonably known by the committee to have made a bundled contribution;
4. It requires that party committees, political action committees and ballot question committees report contributions aggregating \$1,000 or more and expenditures of \$1,000 or more made after the 14th day before the election and more than 24 hours before the day of the election within 24 hours of the contribution or expenditure;

Joint Standing Committee on Veterans and Legal Affairs

- 5. It requires that political action committees, party committees and ballot question committees report the name and office or the office sought of a Governor, constitutional officer, Legislator or a candidate for such an office who solicits contributions during the reporting period;
- 6. It defines "covered transfer" as a transfer of funds by a person, entity or political action committee when there is intent or understanding that the transfer is to be used to make or pay for an independent expenditure and requires that any entity making such a transfer report that transfer; and
- 7. It increases the penalties for failure to register as a political action committee or as a ballot question committee and for late filing of required reports.

Committee Amendment "A" (H-340)

The amendment replaces the bill. The amendment provides that in the last 28 days prior to an election, penalties for violations of campaign finance reporting by a person, candidate, political committee or political action committee may exceed the maximum established in law. If the violation occurs between 28 and 14 days prior to an election, the maximum penalties may be doubled. If the violation occurs less than 14 days prior to an election, the maximum penalties may be tripled. The amendment also increases the penalties applied to political action committees and ballot question committees when required reports are filed late.

LD 1272 An Act To Amend the Process of Tenant Eviction

ONTP

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

This bill prohibits a tenant from raising as a defense to an eviction action or withholding rent due to the existence of a breach of the implied warranty and covenant of habitability or a condition that endangers or materially impairs the health or safety of the tenant if the tenant did not notify the landlord or the landlord's agent of the breach or condition prior to receiving written notice from the landlord or the landlord's agent of the intention to terminate the tenancy.

LD 1298 An Act To Authorize the Houlton Band of Maliseet Indians To Operate a Casino in Aroostook County

CARRIED OVER

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

This bill authorizes the Department of Public Safety, Gambling Control Board to accept an application for a casino operator license to operate slot machines and table games at a casino on the North Road property of the Houlton Band of Maliseet Indians in the Town of Houlton from the Houlton Band of Maliseet Indians. A casino operated by the Houlton Band of Maliseet Indians would not be required to be approved at referendum. The bill raises the limit on the number of slot machines allowed in the State to accommodate the casino operated by the Houlton Band of Maliseet Indians. A casino operated by the Houlton Band of Maliseet Indians would be subject to the oversight of the Gambling Control Board and subject to the same laws and rules as currently licensed casinos.

This bill was carried over to any special or regular session of the 126th Legislature by joint order, H.P. 1145, as amended by H-B (H-580) and H-C (H-582).