

# MAINE STATE LEGISLATURE

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**STATE OF MAINE**  
123<sup>RD</sup> LEGISLATURE  
SECOND REGULAR AND FIRST SPECIAL SESSIONS



Summaries of bills, adopted amendments and laws enacted or finally passed  
during the Second Regular or First Special Sessions of the 123<sup>rd</sup> Maine  
Legislature coming from the

**JOINT STANDING COMMITTEE ON LEGAL AND  
VETERANS' AFFAIRS**

May 2008

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**STATE OF MAINE**  
123<sup>RD</sup> LEGISLATURE  
SECOND REGULAR & FIRST SPECIAL SESSIONS



**LEGISLATIVE DIGEST OF BILL SUMMARIES AND  
ENACTED LAWS**

This *Legislative Digest of Bill Summaries and Enacted Laws* summarizes all bills and adopted amendments and all laws enacted or finally passed during the Second Regular or First Special Sessions of the 123<sup>rd</sup> Maine Legislature.

The *Digest* is arranged alphabetically by committee, and within each committee by LD number. The committee report(s), prime sponsor and lead co-sponsor(s), if designated, are listed below each bill 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 bill is noted to the right of the bill title. The abbreviations used for various categories of final action are as follows:

<i>CON RES XXX</i> .....	<i>Chapter # of Constitutional Resolution passed by both Houses</i>
<i>CONF CMTE UNABLE TO AGREE</i> .....	<i>Committee of Conference unable to agree; bill died</i>
<i>DIED BETWEEN BODIES</i> .....	<i>House &amp; Senate disagree; bill died</i>
<i>DIED IN CONCURRENCE</i> .....	<i>One body accepts ONTP report; the other indefinitely postpones the bill</i>
<i>DIED ON ADJOURNMENT</i> .....	<i>Action incomplete when session ended; bill died</i>
<i>EMERGENCY</i> .....	<i>Enacted law takes effect sooner than 90 days</i>
<i>FAILED EMERGENCY ENACTMENT/FINAL PASSAGE</i> .....	<i>Emergency bill failed to get 2/3 vote</i>
<i>FAILED ENACTMENT/FINAL PASSAGE</i> .....	<i>Bill failed to get majority vote</i>
<i>FAILED MANDATE ENACTMENT</i> .....	<i>Bill imposing local mandate failed to get 2/3 vote</i>
<i>NOT PROPERLY BEFORE THE BODY</i> .....	<i>Ruled out of order by the presiding officers; bill died</i>
<i>INDEF PP</i> .....	<i>Bill Indefinitely Postponed; bill died</i>
<i>ONTP (or Accepted ONTP report)</i> .....	<i>Ought Not To Pass report accepted; bill died</i>
<i>P&amp;S XXX</i> .....	<i>Chapter # of enacted Private &amp; Special Law</i>
<i>PUBLIC XXX</i> .....	<i>Chapter # of enacted Public Law</i>
<i>RESOLVE XXX</i> .....	<i>Chapter # of finally passed Resolve</i>
<i>UNSIGNED</i> .....	<i>Bill held by Governor</i>
<i>VETO SUSTAINED</i> .....	<i>Legislature failed to override Governor's Veto</i>

The effective date for non-emergency legislation enacted in the Second Regular Session (R2) is June 30, 2008. The effective date for non-emergency legislation enacted in the First Special Session (S1) is July 18, 2008.<sup>1</sup> The effective date for legislation enacted as an emergency measure is specified in the enacted law summary for those bills. Any bill summarized in this document having an LD number less than 1932 was a bill carried over from the First Regular Session of the 123<sup>rd</sup> Legislature.

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<sup>1</sup> The session in which each law was enacted or finally passed (R2 or S1) is included in Appendix C.

# Joint Standing Committee on Legal and Veterans Affairs

recount has been requested.

The law provides that for races where the difference in votes between the candidates is less than 1% of the total votes cast in that race, a recount will occur only if requested.

Chapter 515 gives municipalities the option of accepting absentee ballot applications by email. The municipality would be required to notify the Secretary of State at least 120 days before an election if they choose to accept these email applications. The list of municipalities that offer this would be posted on the website of the Secretary of State. The form for this application would be designed or approved by the Secretary of State.

Finally, this law reduces the number of days from 10 to 5 by which the municipal election clerk must update the list of absentee voters in the Central Voter Registration System.

**LD 2130**    **Resolve, Directing the Secretary of State To Work with the Legislative Youth Advisory Council To Establish a Program Regarding Educating Youth about Voting**

**RESOLVE 164**

<u>Sponsor(s)</u>	<u>Committee Report</u>	<u>Amendments Adopted</u>
	OTP-AM MAJ ONTP MIN	H-738

This bill allows an otherwise eligible person to preregister to vote upon reaching 16 years of age. Once preregistered, that person is automatically registered to vote when that person reaches 18 years of age or when that person meets the voting age qualification for voting in a primary election under the Maine Revised Statutes, Title 21-A, section 111-A, whichever occurs first. The bill directs the Secretary of State to adopt such routine technical rules as are necessary to implement this process. The bill requires that preregistration forms be publicly available at all offices of the Department of the Secretary of State, Bureau of Motor Vehicles and be provided to all municipal registrars. The Secretary of State is also directed to undertake efforts to ensure that youth are aware of the preregistration option.

### Committee Amendment "A" (H-738)

This amendment replaces the bill with a resolve directing the Secretary of State to work with the Legislative Youth Advisory Council to develop a program that would distribute informational literature about voting to public high schools in the State and branches of the Bureau of Motor Vehicles. It also requires the Secretary of State to submit recommended legislation by March 1, 2009 incorporating this program into the duties of the Secretary of State required by statute.

### Enacted Law Summary

Resolve 2007 chapter 164 directs the Secretary of State to work with the Legislative Youth Advisory Council to develop a program that would distribute informational literature about voting to public high schools in the State and branches of the Bureau of Motor Vehicles. It also requires the Secretary of State to submit recommended legislation by March 1, 2009 incorporating this program into the duties of the Secretary of State required by statute.

**LD 2134**    **An Act To Allow for Annual Super Tournament Games by Nonprofit Charitable Organizations**

**HELD BY GOVERNOR**

<u>Sponsor(s)</u>	<u>Committee Report</u>	<u>Amendments Adopted</u>
MILLS P	OTP-AM MAJ ONTP MIN	S-576

## *Joint Standing Committee on Legal and Veterans Affairs*

This bill makes the following changes to the laws governing games of cards, including cribbage, sponsored by charitable and fraternal organizations.

1. It increases the allowable daily entry fee from \$1 to \$5.
2. It increases the license fee from \$7.50 to \$30.
3. It specifies that a game of cards may not consist of more than 60 players at any one time.

This bill also authorizes the Chief of the State Police to issue a tournament game license for cribbage, with a maximum of 1,000 players, once per calendar year.

### **Committee Amendment "A" (S-576)**

This amendment replaces the bill. The amendment allows for organizations eligible to conduct tournament games to get a license to conduct one super tournament annually. A super tournament license allows for a maximum of 1,000 players. The license has the same \$100 maximum entry fee as regular tournaments but a super tournament may not collect more than \$10,000 in entry fees.

### **LD 2178 An Act To Increase Public Confidence in Government by Expanding Public Disclosure**

**PUBLIC 704**

<u>Sponsor(s)</u>	<u>Committee Report</u>	<u>Amendments Adopted</u>
EDMONDS	OTP-AM MAJ OTP-AM MIN	H-959 FITTS S-523

This bill expands the list of information that Legislators and executive branch officials are required to list on financial disclosures to include information on real estate interests, investment interests, positions held as officers and directors of entities and the names of and interests held by immediate family members of Legislators and executive branch officials. The bill also requires that completed disclosure forms of Legislators and executive employees, including the Governor, be made available over the Internet. The requirement for Internet publication of the completed forms applies to Legislators' disclosure of sources of income, reportable liabilities, bids on government contracts and updating statements and candidate disclosure forms and executive employee statements of sources of income.

### **Committee Amendment "A" (S-523)**

This amendment is the majority report. This amendment adds to the list of things to be disclosed as proposed in the bill. New disclosures regarding real property and investment interests will begin to be reported in 2010 after the reporting form designed by the Commission on Governmental Ethics and Election Practices is reviewed by the joint standing committee of the Legislature having jurisdiction over governmental ethics matters. It adds a requirement that job titles be disclosed for each reportable source of income for Legislators, executive employees and members of their immediate families. The amendment specifies that the value of real property and investments is disclosed by indicating a range of value. It also clarifies that when reporting the location of reportable real property, the township or municipality where the property is located is sufficient.

### **House Amendment "E" (H-959)**

This amendment removes the requirement that Legislators and certain executive branch employees disclose the range of income derived from each source with respect to income earned by immediate family members of Legislators and certain executive branch employees. It also removes the requirement that Legislators and certain executive branch employees disclose certain real property and investment interests. It provides that statements filed by executive branch employees regarding positions held by those employees and their immediate family members