

# 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)

**LAWS**  
**OF THE**  
**STATE OF MAINE**

**AS PASSED BY THE**  
**ONE HUNDRED AND TWENTY-FIRST LEGISLATURE**

**FIRST SPECIAL SESSION**  
**August 21, 2003 to August 22, 2003**

**The General Effective Date For**  
**First Special Session**  
**Non-Emergency Laws Is**  
**November 22, 2003**

**SECOND REGULAR SESSION**  
**January 7, 2004 to January 30, 2004**

**The General Effective Date For**  
**Second Regular Session**  
**Non-Emergency Laws Is**  
**April 30, 2004**

**SECOND SPECIAL SESSION**  
**February 3, 2004 to April 30, 2004**

**The General Effective Date For**  
**Second Special Session**  
**Non-Emergency Laws Is**  
**July 30, 2004**

**PUBLISHED BY THE REVISOR OF STATUTES**  
**IN ACCORDANCE WITH MAINE REVISED STATUTES ANNOTATED,**  
**TITLE 3, SECTION 163-A, SUBSECTION 4.**

---

---

**Penmor Lithographers**  
**Lewiston, Maine**  
**2004**

all the functions of an election clerk as prescribed by this Title.

**Sec. 5. 21-A MRSA §601, sub-§2, ¶D**, as amended by PL 2001, c. 310, §29, is further amended to read:

D. At the end of the list of candidates for each office, there must be left as many blank spaces as there are vacancies to be filled. These spaces may be used by a voter to write in or paste a sticker with the name and municipality of residence of any person for whom the voter desires to vote, as provided in section 691, subsection 2 for a primary election or section 692, subsection 2 for a general election. ~~For the presidential preference primary election ballot only, at the end of the list of candidates for nomination there must be printed the word "uncommitted" in such a way that a voter may choose this preference rather than a listed candidate. After the "uncommitted" option, there may not be any blank spaces left where a voter could write in the name of any person for whom a voter desires to vote.~~

**Sec. 6. 21-A MRSA §601, sub-§2, ¶H**, as amended by PL 1997, c. 436, §67, is further amended to read:

H. The name of each nominee must appear on the ballot as follows: last name first, ~~in block capital letters~~, followed by the first name and middle name or initial; or last name first ~~in block capital letters~~, followed by the first name or the first initial and the middle name.

**Sec. 7. 21-A MRSA §621-A, sub-§1**, as enacted by PL 1997, c. 436, §83, is amended to read:

**1. Notice posted.** The clerk shall post or have posted a notice of election, attested by the clerk, in a conspicuous public place in each voting district in the municipality at least 7 days immediately before election day and at each voting place on election day.

**Sec. 8. 21-A MRSA §651, sub-§2-B**, as amended by PL 1997, c. 436, §93, is further amended to read:

**2-B. Opening of ballot packages.** No more than ~~4~~<sup>1</sup>/<sub>2</sub> one hour before the opening of the polls, the warden shall break the seals on the packages containing the ballots and distribute the ballots to the election clerks in charge of them. The breaking of the seals on the packages containing the ballots is a public proceeding and any member of the public may be present.

**Sec. 9. 21-A MRSA §671, sub-§2**, as enacted by PL 1985, c. 161, §6, is amended to read:

**2. Enters guardrail enclosure.** The election clerk in charge of the incoming voting list shall place a check mark or a horizontal line, in red ink, on the list beside the voter's name and allow ~~him~~ the voter to enter the area enclosed by the guardrail.

**Sec. 10. 21-A MRSA §698, sub-§5, ¶A**, as amended by PL 1993, c. 473, §26 and affected by §46, is further amended to read:

A. The portions of ~~subsection 1, paragraph A, and subsections 2-A and 2-B~~ that deal with absentee ballots do not apply to municipalities with 2 or more voting districts where absentee ballots are counted separately.

See title page for effective date.

---



---

## CHAPTER 585

H.P. 1217 - L.D. 1640

### An Act To Provide Accurate Vital Records for Adults in Maine

**Be it enacted by the People of the State of Maine as follows:**

**Sec. 1. 22 MRSA §2705, sub-§6** is enacted to read:

**6. Amendment of certificate of birth of adult.** Amendment of a certificate of birth of a person 18 years of age or older born in this State for the purpose of identifying a biological parent who was not known or listed at the time of birth is governed by section 2767.

**Sec. 2. 22 MRSA §2767** is enacted to read:

**§2767. Amendment of certificate of birth of adult**

The State Registrar of Vital Statistics shall amend the certificate of birth of a person 18 years of age or older born in this State for the purpose of identifying a biological parent who was not known or listed at the time of birth when the state registrar has received the following:

**1. Request.** A written request from the subject of the birth certificate that the certificate be amended;

**2. Written consent.** Written consent of:

**A. The subject of the birth certificate; and**

**B. The biological parent to be named on the amended birth certificate.**

Written consent must be notarized or acknowledged before an official authorized to take oaths; and

**3. Evidence of parentage; test requirements.**  
Evidence of parentage based on testing of deoxyribo-  
nucleic acid, DNA, that includes:

A. A notarized report of the results of the DNA  
testing; and

B. Notarized documentation of the chain of cus-  
tody of the blood and tissue samples examined in  
the testing.

The testing must be of a type generally acknowledged  
as reliable by accreditation bodies designated by the  
federal Secretary of Health and Human Services, and  
it must be performed by a laboratory approved by an  
accreditation body designated by the federal Secretary  
of Health and Human Services.

See title page for effective date.

## CHAPTER 586

S.P. 694 - L.D. 1854

### **An Act To Conform to Federal Law Regarding Electronically Printed Credit and Debit Card Receipts and To Delay Enforcement of Civil Penalties**

**Emergency preamble.** Whereas, Acts of the Legislature do not become effective until 90 days after adjournment unless enacted as emergencies; and

**Whereas,** Public Law 2001, chapter 527, enacted by the 120th Legislature in 2002, prohibits businesses from printing more than the last 5 numbers of a credit card or debit card account on an electronically produced receipt; and

**Whereas,** this law took effect on January 1, 2004; and

**Whereas,** many businesses are still in the process of converting their equipment to comply with the requirements of the law but are now subject to penalties up to \$1,000 for each violation; and

**Whereas,** in the judgment of the Legislature, these facts create an emergency within the meaning of the Constitution of Maine and require the following legislation as immediately necessary for the preservation of the public peace, health and safety; now, therefore,

**Be it enacted by the People of the State of Maine as follows:**

**Sec. 1. 10 MRSA §1149, sub-§1,** as enacted by PL 2001, c. 527, §1, is amended to read:

**1. Electronically printed receipts.** Except as provided in this section, a person, firm, partnership, association, corporation or limited liability company that accepts credit cards or debit cards for the transaction of business may not print more than the last 5 digits of the credit card or debit card account number or ~~may not print~~ the expiration date of the credit card or debit card on a receipt provided to a cardholder at the point of sale of the transaction.

**Sec. 2. 10 MRSA §1149, sub-§3-A** is enacted to read:

**3-A. Absolved from forfeiture and civil penalty.** Until January 1, 2005, a person who violates this section is absolved from civil prosecution or forfeitures and civil penalties associated with any such violation occurring before that date.

**Sec. 3. Retroactivity.** This Act applies retroactively to January 1, 2004.

**Emergency clause.** In view of the emergency cited in the preamble, this Act takes effect when approved.

Effective March 30, 2004.

## CHAPTER 587

S.P. 685 - L.D. 1842

### **An Act To Remove the Designation of the Lake Christopher Wildlife Management Area as a Wildlife Management Area**

**Be it enacted by the People of the State of Maine as follows:**

**Sec. 1. 12 MRSA §12708, sub-§1, ¶A,** as enacted by PL 2003, c. 414, Pt. A, §2 and affected by Pt. D, §7, is amended by repealing sub-¶(4).

See title page for effective date.

## CHAPTER 588

H.P. 1338 - L.D. 1816

### **An Act Concerning Technical Changes to the Tax Laws**

**Be it enacted by the People of the State of Maine as follows:**

**Sec. 1. 36 MRSA §111, sub-§4,** as enacted by PL 1979, c. 378, §2, is amended to read: