

MAINE STATE LEGISLATURE

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LAWS
OF THE
STATE OF MAINE

AS PASSED BY THE

ONE HUNDRED AND TWENTY-THIRD LEGISLATURE

FIRST REGULAR SESSION
December 6, 2006 to June 21, 2007

THE GENERAL EFFECTIVE DATE FOR
FIRST REGULAR SESSION
NON-EMERGENCY LAWS IS
SEPTEMBER 20, 2007

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

Penmor Lithographers
Lewiston, Maine
2007

may be imposed. The judge, as an alternative to or in addition to the fine permitted by this paragraph, may assign the minor to perform specified work for the benefit of the State, a municipality or other public entity or a charitable institution.

C. For a violation of subsection 1, paragraph C, a fine of \$500 must be imposed and that fine may not be suspended. The judge, in addition to the fine required by this paragraph, may assign the minor to perform specified work for the benefit of the State, a municipality or other public entity or a charitable institution.

§2014. Use of false identification by minors prohibited

1. Use of false identification by minors prohibited. A minor may not:

A. Offer false identification in an attempt to purchase Salvia divinorum;

B. Violate paragraph A after having previously violated this subsection; or

C. Violate paragraph A after having previously violated this subsection 2 or more times.

2. Penalty. A minor who violates subsection 1 commits a civil violation for which the following penalties apply.

A. For a violation of subsection 1, paragraph A, a fine of not less than \$100 and not more than \$300 may be imposed. The judge, as an alternative to or in addition to the fine permitted by this paragraph, may assign the minor to perform specified work for the benefit of the State, a municipality or other public entity or a charitable institution.

B. For a violation of subsection 1, paragraph B, a fine of not less than \$200 and not more than \$500 may be imposed. The judge, as an alternative to or in addition to the fine permitted by this paragraph, may assign the minor to perform specified work for the benefit of the State, a municipality or other public entity or a charitable institution.

C. For a violation of subsection 1, paragraph C, a fine of \$500 must be imposed and that fine may not be suspended. The judge, in addition to the fine required by this paragraph, may assign the minor to perform specified work for the benefit of the State, a municipality or other public entity or a charitable institution.

See title page for effective date.

CHAPTER 121

H.P. 492 - L.D. 643

**An Act To Clarify Certain
Equipment Provisions for
Motor Vehicles**

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

Sec. 1. 29-A MRSA §1901, as enacted by PL 1993, c. 683, Pt. A, §2 and affected by Pt. B, §5, is amended to read:

§1901. General restriction

A person may not use, ~~a vehicle on a public way or sell or equip a vehicle with a lens, muffler, reflector, lighting device, window tinting material or other for use on a public way with~~ aftermarket equipment contrary to this Title or contrary to the rules of the Chief of the State Police.

See title page for effective date.

CHAPTER 122

H.P. 512 - L.D. 663

**An Act To Update Absentee
Ballot Procedures**

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

Whereas, domestic partners are not included in the definition of immediate family members for the purposes of requesting an absentee ballot; and

Whereas, many citizens of the State have taken advantage of the domestic partner laws; and

Whereas, these domestic partners are unable to request absentee ballots for their partners under the current law; and

Whereas, the next election will take place before the general effective date of legislation passed by the 123rd Legislature; 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. 21-A MRSA §1, sub-§13-A is enacted to read:

13-A. Domestic partner. "Domestic partner" means the partner of a voter who:

A. Has been legally domiciled with the voter for at least 12 months;

B. Is not legally married to or legally separated from another individual;

C. Is the sole partner of the voter and expects to remain so; and

D. Is jointly responsible with the voter for each other's common welfare as evidenced by joint living arrangements, joint financial arrangements or joint ownership of real or personal property.

Sec. 2. 21-A MRSA §1, sub-§20, as amended by PL 2001, c. 310, §1, is further amended to read:

20. Immediate family. "Immediate family" means a person's spouse, parent, grandparent, child, grandchild, sister, brother, stepparent, stepgrandparent, stepchild, stepgrandchild, stepsister, stepbrother, mother-in-law, father-in-law, brother-in-law, sister-in-law, son-in-law, daughter-in-law, guardian ~~or~~ former guardian or domestic partner.

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

Effective May 15, 2007.

CHAPTER 123

H.P. 561 - L.D. 740

An Act To Promote the Safety of Deaf or Hard-of-hearing Drivers

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

Sec. 1. 29-A MRSA §1404-A is enacted to read:

§1404-A. License sticker; deaf or hard-of-hearing designation

The Secretary of State shall, at the request of a person who is deaf or hard-of-hearing, issue a sticker to that person to place in a location designated by the Secretary of State on the back of the person's driver's license to indicate that the person is deaf or hard-of-hearing. The Secretary of State may require appropriate documentation that a person is deaf or hard-of-hearing before issuing the sticker. For purposes of this section, the terms "deaf person" and "hard-of-hearing person" have the same meanings as in section 1358, subsection 1.

Sec. 2. Sticker design. The Secretary of State shall design the sticker required under the Maine Re-

vised Statutes, Title 29-A, section 1404-A in consultation with representatives of the deaf and hard-of-hearing community.

See title page for effective date.

CHAPTER 124

H.P. 627 - L.D. 830

An Act To Permit the Use of Pictorial Graphics and Photographs on Changeable Signs

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

Sec. 1. 23 MRSA §1914, sub-§11-A, ¶A, as enacted by PL 2001, c. 268, §3, is amended to read:

A. As used in this subsection, unless the context otherwise indicates, the following terms have the following meanings.

(1) "Changeable sign" means an on-premise sign created, designed, manufactured or modified in such a way that its message may be electronically, digitally or mechanically altered by the complete substitution or replacement of one display by another on each side.

(2) "Display" means that portion of the surface area of a changeable sign that is, or is designed to be or is capable of being periodically altered for the purpose of conveying a message.

(3) "Lot of record" means a lot for which the deed was legally recorded, or ~~which that~~ was created by a plan legally recorded, in the registry of deeds for the county where the lot is located. Contiguous lots of record in the same ownership are considered one lot.

(4) "Message" means a communication conveyed by means of a visual display of text, a graphic element or pictorial or photographic image.

(5) "Sign assembly" means the display, border, trim and all supporting apparatus, including posts, columns, pedestals and foundation.

(6) "Time and temperature sign" means a changeable sign that electronically or mechanically displays the time and temperature by the complete substitution or replacement of a display showing the time with a display showing the temperature.