

# 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.**

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**Penmor Lithographers**  
**Lewiston, Maine**  
**2007**

**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.

**Sec. 2. 23 MRSA §1914, sub-§11-A, ¶B,** as amended by PL 2005, c. 482, §3, is further amended to read:

B. The display on each side of a changeable sign:

(1) May be changed no more than once every 20 minutes, unless the municipality in which the sign is located adopts an ordinance to the contrary and notifies the Department of Transportation in writing of that ordinance. If a municipal ordinance is adopted, the municipality is responsible for the administration of that ordinance;

(2) Must change as rapidly as technologically practicable, with no phasing, rolling, scrolling, flashing or blending, unless the municipality in which the sign is located adopts an ordinance to the contrary and notifies the Department of Transportation in writing of that ordinance. If a municipal ordinance is adopted, the municipality is responsible for the administration of that ordinance. Notwithstanding this subparagraph, a municipality may not adopt an ordinance that allows the sign to flash or display continuous streaming of information or video animation; and

(3) May consist ~~only~~ of alphabetic or numeric text on a plain or colored background and may ~~not~~ include ~~any~~ graphic, pictorial or photographic images unless the municipality in which the sign is located adopts an ordinance to the contrary and notifies the Department of Transportation in writing of that ordinance. If a municipal ordinance is adopted, the municipality is responsible for the administration of that ordinance.

**Sec. 3. Application; existing ordinance.** If an ordinance regulating changeable signs is in effect on the effective date of this Act, that ordinance continues in effect and is not superseded by the changes made in this Act.

See title page for effective date.

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## CHAPTER 125

### H.P. 639 - L.D. 840

#### An Act To Update the Authority of the Maine Employers' Mutual Insurance Company To Better Serve the Needs of Maine Employers

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

**Sec. 1. 24-A MRSA §3703, sub-§1,** as amended by PL 1997, c. 661, §3, is further amended to read:

**1. Workers' compensation.** The company shall provide workers' compensation insurance and employers' liability insurance incidental to and written in connection with workers' compensation coverage to employers in this State. The company may provide employment practices liability insurance incidental to and written in connection with workers' compensation coverage for employers with an average of 100 or fewer employees if the employment practices liability insurance is provided as an endorsement to workers' compensation coverage approved by the superintendent and is provided under terms and conditions, including reinsurance protection, approved by the superintendent. Rates for employment practices liability insurance are subject to chapter 25. The company may not write other lines of insurance. The company may reinsure workers' compensation and employers' liability insurance written by other insurers that are covering out-of-state employees of Maine-based employers that are insured by the company. For the purpose of providing insurance to Maine-based employers operating in other states, the company may apply to appropriate regulatory authorities in those states for authority to write workers' compensation ~~and~~ employers' liability and employment practices liability insurance for Maine-based employers' operations in those states. The company may form or acquire subsidiary insurers in other states that are authorized to write only workers' compensation insurance ~~and~~ employers' liability insurance and employment practices liability insurance as long as such coverage is incidental to and written in connection with workers' compensation coverage. The superintendent may authorize a subsidiary insurer formed or acquired by the company to write workers' compensation, employers' liability and employment practices liability insurance in this State as long as such coverage is incidental to and written in connection with coverage in the state in which the insured's principal place of business is located. The superintendent may not authorize a subsidiary insurer formed or acquired by the company to write any other line of insurance in this State.

**Sec. 2. Report.** On or before March 1, 2008, the Superintendent of Insurance shall submit a report to the Joint Standing Committee on Insurance and Financial Services on whether the superintendent has approved the sale of employment practices liability insurance as an endorsement to workers' compensation insurance policies by the Maine Employers' Mutual Insurance Company pursuant to the Maine Revised Statutes, Title 24-A, section 3703, subsection 1. The report must include, at a minimum, information on the terms and conditions of the approval and the number of employers who have chosen to purchase