

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

ance and reasonable limitations, deductibles and exclusions to the extent that these provisions are not inconsistent with the requirements of this section.

Sec. 5. Application. The requirements of this Act apply to all policies, contracts and certificates executed, delivered, issued for delivery, continued or renewed in this State on or after January 1, 2008. For purposes of this Act, all contracts are deemed to be renewed no later than the next yearly anniversary of the contract date.

Sec. 6. Exemption from review. Notwithstanding the Maine Revised Statutes, Title 24-A, section 2752, this Act is enacted without review and evaluation by the Department of Professional and Financial Regulation, Bureau of Insurance.

Sec. 7. Application. The requirements of this Act apply to all policies, contracts and certificates executed, delivered, issued for delivery, continued or renewed in this State on or after January 1, 2008. For purposes of this section, all contracts are deemed to be renewed no later than the next yearly anniversary of the contract date.

Sec. 8. Appropriations and allocations. The following appropriations and allocations are made.

ADMINISTRATIVE AND FINANCIAL SERVICES, DEPARTMENT OF

Salary Plan 0305

Initiative: Appropriates and allocates funds for the additional costs of health insurance to the State resulting from the requirement to provide coverage for hearing aids for persons 18 years of age and under, which will be phased in over 3 years and limits coverage to \$1,400 per hearing aid every 36 months.

GENERAL FUND	2007-08	2008-09
Personal Services	\$0	(\$15,000)
GENERAL FUND TOTAL	\$0	(\$15,000)
HIGHWAY FUND	2007-08	2008-09
Personal Services	\$0	(\$6,000)
HIGHWAY FUND TOTAL	\$0	(\$6,000)

See title page for effective date.

**CHAPTER 453
H.P. 10 - L.D. 9**

An Act To Continue the Axle Weight Law Changes beyond September 15, 2007

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

Whereas, statutory adjournment of the First Regular Session of the 123rd Legislature is June 20, 2007; and

Whereas, Public Law 2005, chapter 426 is repealed September 15, 2007 and this legislation repeals that sunset; 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. 29-A MRSA §2360-A, sub-§3 is enacted to read:

3. Repeal. This section is repealed September 15, 2009.

Sec. 2. PL 2005, c. 426, §6 is repealed.

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

Effective June 28, 2007.

**CHAPTER 454
H.P. 90 - L.D. 98**

An Act To Require Alien Big Game Hunters To Be Accompanied by a Guide

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

Sec. 1. 12 MRSA §11224 is enacted to read:

§11224. Alien big game hunter; guide required

An alien may not hunt moose, deer or bear without being accompanied by a person who holds a valid guide license pursuant to chapter 927 authorizing that person to act as a hunting guide.

1. Civil violation. A person who violates this section commits a civil violation for which a fine of not less than \$100 nor more than \$500 may be adjudged.

2. Class E crime. A person who violates this section after having been adjudicated as having committed 3 or more civil violations under this Part within the previous 5-year period commits a Class E crime.

Sec. 2. Transfer; Carrying Balances, General Fund account. Notwithstanding any other provisions of law, no later than September 15, 2007, the State Controller shall transfer \$41,216 from the Carrying Balances, General Fund account within the Department of Inland Fisheries and Wildlife to the unappropriated surplus of the General Fund, and no later than September 15, 2008 the State Controller shall transfer \$41,216 from the Carrying Balances, General Fund account within the Department of Inland Fisheries and Wildlife to the unappropriated surplus of the General Fund.

See title page for effective date.

CHAPTER 455
H.P. 1227 - L.D. 1761

**An Act To Amend the Election
Laws**

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

Sec. 1. 21-A MRSA §1, sub-§47-B is enacted to read:

47-B. Voting booth or voting station. "Voting booth" or "voting station" means the location within a voting place where voters may mark their ballots or record their votes screened from the observation of others. "Voting booth" or "voting station" includes the area, location, booth, table or enclosure where voting takes place and includes any voting machine, voting device or accessible voting system placed in the voting booth or voting station.

Sec. 2. 21-A MRSA §101, sub-§1, as amended by PL 1997, c. 436, §14, is further amended to read:

1. Qualifications. The registrar must be a citizen of the United States, a resident of the State and at least 18 years of age. The registrar may not hold or be a candidate for any state, local or county office, or be an officer of a municipal, county or state party committee. The registrar may not be an employee of a party or candidate.

Sec. 3. 21-A MRSA §101, sub-§10 is enacted to read:

10. Ineligible to serve. When a member of the registrar's immediate family becomes a candidate for state, local or county office in the electoral division in which the registrar is appointed, the registrar may not serve as registrar during the period beginning when the candidate files a petition to be a candidate or is nominated to be a replacement candidate until the time of election. The registrar shall instead appoint a deputy to whom the municipality shall pay all associated costs for the duration of the deputy's temporary employment in that capacity.

Sec. 4. 21-A MRSA §103, sub-§6, as amended by PL 1999, c. 426, §5, is further amended to read:

6. Appeal hearing. Upon receipt of a complaint by a person aggrieved by the decision of the registrar, the chair of the registration appeals board shall immediately fix a time and place for the board to meet for a prompt hearing. The voter must be given written notice of the hearing at least 20 days in advance and must have the opportunity to testify and to present witnesses and other evidence at the hearing. The hearing is de novo. After hearing, the board may affirm, modify or reverse the decision of the registrar of voters. The aggrieved person may appeal the decision of the board to the Superior Court in accordance with Rule 80B of the Rules of Civil Procedure.

Sec. 5. 21-A MRSA §112, sub-§6, as amended by PL 1993, c. 695, §3, is further amended to read:

6. Voting in another state. A person loses the person's voting residence in this State if the person registers to vote in another state or votes in another state's election, either in person or by absentee ballot. That person is not eligible to register or vote in this State until the person again qualifies under section 111.

Sec. 6. 21-A MRSA §122, sub-§1, as amended by PL 2005, c. 453, §13, is further amended to read:

1. Entry into central voter registration system. The registrar shall enter the name and other information from the voter registration application of the applicant into the central voter registration system as expeditiously as possible after receipt of a voter registration application. The registrar shall register a person by first name, middle name or initial and last name, ~~or~~ by first name or initial, middle and last name or by first name and last name.

Sec. 7. 21-A MRSA §152, sub-§1, ¶A, as enacted by PL 1985, c. 161, §6, is amended to read:

A. First name, middle name or initial and last name, ~~or~~ first name or initial, middle name and last name or first name and last name;