

MAINE STATE LEGISLATURE

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STATE OF MAINE
123RD LEGISLATURE
FIRST REGULAR SESSION



Summaries of bills and adopted amendments and laws enacted or finally passed during the First Regular Session of the 123rd Maine Legislature coming from the

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

July 2007

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STATE OF MAINE

123RD LEGISLATURE

FIRST REGULAR SESSION

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 First Regular Session of the 123rd Maine Legislature, which was in session from December 6, 2006 to June 21, 2007.

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:

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

Please note that the effective date for non-emergency legislation enacted in the First Regular Session is **September 20, 2007**. The effective date for legislation enacted as an emergency measure is specified in the enacted law summary for those bills.

Joint Standing Committee on Legal and Veterans Affairs

LD 1150 An Act To Establish Random Audits of Voting Machines

CARRIED OVER

<u>Sponsor(s)</u>	<u>Committee Report</u>	<u>Amendments Adopted</u>
PINGREE EDMONDS		

This bill establishes a procedure for regular scientific audits of the State's election machinery on a biennial basis, by means of manually recounting the ballots of a random sample of all voting machines in the State. The bill also establishes an escalating recount procedure in the event that unacceptable discrepancies are discovered during the random sample recount process, and it mandates the regular statistical analysis of those discrepancies. This bill establishes the Maine Electoral Transparency Fund to provide reimbursement for costs incurred in performing the recounts. Resources of the fund come from an income tax check off and voluntary contributions.

LD 1150 was carried over pursuant to Joint Order, HP 1369.

LD 1232 An Act To Limit the Duration of the Placement of Campaign Signs

ONTP

<u>Sponsor(s)</u>	<u>Committee Report</u>	<u>Amendments Adopted</u>
VALENTINO	ONTP	

This bill reduces the time period during which campaign signs may be placed in a public way from 6 weeks to 15 days before the election. It maintains the provision that they be removed no later than one week after the election.

LD 1233 An Act To Amend Requirements for Participation of Gubernatorial Candidates under the Maine Clean Election Act

ONTP

<u>Sponsor(s)</u>	<u>Committee Report</u>	<u>Amendments Adopted</u>
VALENTINO	ONTP	

Under current law, in order to qualify under the Maine Clean Election Act, a participating candidate for Governor must obtain qualifying contributions from at least 2,500 verified registered voters. This bill increases the number of necessary qualifying contributions to 3,500. In addition, this bill requires that a participating candidate for Governor raise seed money contributions totaling at least \$10,000.

The proposals made by this bill were considered in a larger comprehensive bill regarding campaign finance and the Maine Clean Election Act, LD 1854.

LD 1251 An Act To Establish the Crime of Political Libel BY REQUEST

ONTP

<u>Sponsor(s)</u>	<u>Committee Report</u>	<u>Amendments Adopted</u>
SAVAGE C	ONTP	

This bill establishes the Class E crime of political libel. A person commits political libel if that person makes or publishes any false statement or charge reflecting on any candidate's character or morality or knowingly misrepresents the voting record or position on public issues of any candidate and makes such a statement or

Joint Standing Committee on Legal and Veterans Affairs

representation with knowledge of its falsity or with a reckless disregard as to whether it is true or not.

LD 1260 An Act To Create an Animal Welfare Lottery Game

**ACCEPTED ONTP
REPORT**

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

This bill amends the law governing the powers and duties of the lottery commission. It requires the commission to work with the Department of Agriculture, Food and Rural Resources (DAFRR) to develop an animal welfare lottery game. Lottery agents who sell this ticket would receive a commission at 1% point higher than that applied to other lottery tickets. Sales of the tickets would be divided among the General Fund, which would receive one-third and DAFRR which would receive two-thirds. The amount to go to DAFRR would be divided equally between the program to provide subsidies to low income persons for spaying and neutering companion animals and to the animal welfare program.

Committee Amendment "A" (H-208)

This amendment, which was not adopted, adds a section to the bill that adds the Department of Agriculture, Food and Rural Resources' animal welfare program and the Companion Animal Sterilization Fund to the list of entities that receive revenue from lottery ticket sales.

LD 1273 An Act To Increase Beano Revenue

ONTP

<u>Sponsor(s)</u>	<u>Committee Report</u>	<u>Amendments Adopted</u>
EATON	ONTP	

This bill increases the maximum payout in winner-take-all-beano rounds from \$500 to \$1,200. It also directs the Department of Public Safety, Bureau of State Police to amend its rules pertaining to games of chance so that lucky seven or similar sealed tickets may contain up to 30,000 tickets.

LD 1283 An Act To Prevent Retailers from Selling Liquor below Cost

**ACCEPTED ONTP
REPORT**

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

This bill prohibits an agency liquor store or any other retailer from selling liquor at retail sale for less than the cost of that liquor to that agency liquor store or retailer. The bill provides that a violation of this provision is a civil violation for which a fine of not more than \$500 may be adjudged.

Committee Amendment "A" (S-93)

This amendment, which was not adopted, changes the provision in the bill that would prohibit the sale of liquor below cost. Under the amendment, the provision would apply only to malt liquor and wine sold for consumption off-premises. The amendment specifies that a licensee may not sell malt liquor or wine at a retail price that is less than the cost to the licensee to purchase that malt liquor or wine from a wholesaler.