

# MAINE STATE LEGISLATURE

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**STATE OF MAINE**  
123<sup>RD</sup> LEGISLATURE  
FIRST REGULAR SESSION



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

**JOINT STANDING COMMITTEE ON JUDICIARY**

July 2007

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\*Representative Bonnie S. Gould replaced former Representative Abigail Holman on the Judiciary Committee.

# STATE OF MAINE

123<sup>RD</sup> 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 123<sup>rd</sup> 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 Judiciary*

**LD 1540**

**An Act To Guarantee Free Speech in Privately Owned Public Gathering Places**

**CARRIED OVER**

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

LD 1540 amends the Maine Civil Rights Act to address the right of free of speech and the right to petition at shopping centers that are privately owned. LD 1540 guarantees the right of free speech, including expressive activities, and the right to petition in the common area of a shopping center, as long as such expressive activities do not interfere with commerce and the free flow of pedestrian traffic. The management of a shopping mall may adopt reasonable time, place and manner regulations. LD 1540 prohibits shopping centers, if they provide space for the posting of announcements, public service messages, proclamations, pamphlets and other such material, from prohibiting posting based on the content except where the prohibition is otherwise consistent with constitutional principles relating to free speech.

LD 1540 is carried over pursuant to Joint Order, HP 1369.

**LD 1541 An Act To Improve Child Support Services**

**PUBLIC 365**

<u>Sponsor(s)</u>	<u>Committee Report</u>	<u>Amendments Adopted</u>
SIMPSON	OTP-AM MAJ OTP-AM MIN	H-538

LD 1541 adds language necessary to comply with requirements set out in the federal Deficit Reduction Act of 2005, which now requires Maine to impose an annual service fee in each case in which an individual has never received assistance under a state program and from which child support collections total over \$500 in a year.

**Committee Amendment "A" (H-538)**

This amendment is the majority report of the Joint Standing Committee on Judiciary. It adds a fiscal note.

**Committee Amendment "B" (H-539)**

This amendment is the minority report of the Joint Standing Committee on Judiciary. This amendment requires gambling facilities operating slot machines to offset gambling winnings in a similar fashion as the Department of Administrative and Financial Services, Bureau of Alcoholic Beverages and Lottery Operations must when an individual wins the lottery for the purpose of collecting child support debts prior to dispersing winnings to a child support obligor. (Not adopted)

**Enacted Law Summary**

Public Law 2007, chapter 365 adds language necessary to comply with requirements set out in the federal Deficit Reduction Act of 2005, which now requires Maine to impose an annual service fee in each case in which an individual has never received assistance under a state program and from which child support collections total over \$500 in a year.