

MAINE STATE LEGISLATURE

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STATE OF MAINE
123RD LEGISLATURE
SECOND REGULAR AND FIRST SPECIAL SESSIONS



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

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

May 2008

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STATE OF MAINE
123RD LEGISLATURE
SECOND REGULAR & FIRST SPECIAL SESSIONS



**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 Second Regular or First Special Sessions of the 123rd Maine Legislature.

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:

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

The effective date for non-emergency legislation enacted in the Second Regular Session (R2) is June 30, 2008. The effective date for non-emergency legislation enacted in the First Special Session (S1) is July 18, 2008.¹ The effective date for legislation enacted as an emergency measure is specified in the enacted law summary for those bills. Any bill summarized in this document having an LD number less than 1932 was a bill carried over from the First Regular Session of the 123rd Legislature.

¹ The session in which each law was enacted or finally passed (R2 or S1) is included in Appendix C.

Joint Standing Committee on Legal and Veterans Affairs

17. One percent of the total gross gaming device income must be distributed to the Land for Maine's Future Fund established in the Maine Revised Statutes, Title 5, section 6203 to secure the traditional heritage of this State of public access to the land and water resources of this State and to secure the continued quality and availability of natural resources important to the interests and continued heritage of the people of the State;
18. One percent of the total gross gaming device income must be distributed to public access television stations in this State for the improvement of technology and programming;
19. One percent of the total gross gaming device income must be distributed for funding residents of this State who are 15 years of age to 30 years of age to support ideas and projects that will stimulate the creative economy in this State, enhance technology, improve civic engagement or otherwise effect positive community change;
20. One percent of the total gross gaming device income must be distributed for programs to protect gaming patrons against the risks of gambling, including gambling addiction counseling services and monitoring patrons who may be at risk and have a propensity for problem gambling;
21. Two percent of the total gross gaming device income must be forwarded directly to any municipality in which the gaming facility is located; and
22. One percent of the total gross gaming device income must be forwarded directly to Oxford County to pay for mitigation of costs resulting from gaming operations.

LD 2293 **Resolve, To Improve the Absentee Voting System on November 3, 2008**

RESOLVE 215

<u>Sponsor(s)</u>	<u>Committee Report</u>	<u>Amendments Adopted</u>
DIAMOND	OTP-AM	S-616

This resolve provides that a person may not vote by absentee ballot in the presence of the clerk on November 3, 2008, but may still obtain a ballot by written request to vote outside of the clerk's office.

Committee Amendment "A" (S-616)

This amendment replaces the resolve, which would prohibit a voter from voting in the presence of a municipal clerk by absentee ballot on the day before election day. It authorizes a municipal clerk to prohibit voting by absentee ballot in the presence of the clerk on November 3, 2008 as long as a municipal clerk gives notice to the political parties and to the Secretary of State at least 30 days before election day. Even when a municipality prohibits absentee voting in the presence of a municipal clerk, a voter may still request an absentee ballot from the clerk on November 3, 2008 and vote outside of the clerk's office. It also changes the title of the resolve.

Enacted Law Summary

Resolve 2007, chapter 215 authorizes a municipal clerk to prohibit voting by absentee ballot in the presence of the clerk on November 3, 2008 as long as a municipal clerk gives notice to the political parties and to the Secretary of State at least 30 days before election day. Even when a municipality prohibits absentee voting in the presence of a municipal clerk, a voter may still request an absentee ballot from the clerk on November 3, 2008 and vote outside of the clerk's office.