

MAINE STATE LEGISLATURE

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STATE OF MAINE
124TH LEGISLATURE
SECOND REGULAR SESSION



Summaries of bills, adopted amendments and laws enacted or finally passed during the Second Regular Session of the 124th Maine Legislature coming from the

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

April 2010

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STATE OF MAINE

124TH LEGISLATURE
SECOND 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 Second Regular Session of the 124th 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>CARRIED OVER</i>	<i>Carried over to a subsequent session of the Legislature</i>
<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 HOUSES</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 of the 124th Legislature is Monday, July 12, 2010. 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 1579 An Act To Facilitate Voting by Uniformed Service and Overseas Voters

**PUBLIC 563
EMERGENCY**

<u>Sponsor(s)</u>	<u>Committee Report</u>	<u>Amendments Adopted</u>
WILLETTE GOODALL	OTP-AM	H-689

This bill allows voters from all municipalities in the State to request absentee ballots using the Secretary of State's online absentee ballot request service. The bill also allows the Secretary of State to facilitate voting by uniformed service and overseas voters by allowing central issuance, receipt and counting of the absentee ballots of these voters and electronic transmission of absentee ballots to and receipt of absentee ballots from these voters.

Committee Amendment "A" (H-689)

This amendment clarifies a provision in the bill that allows the Secretary of State to receive absentee ballots for uniformed service and overseas voters by e-mail or fax. It requires the Secretary of State to adopt rules regarding the central issuance and processing of absentee ballots for uniformed service and overseas voters to ensure the ballots are examined, counted and stored in the same manner as regular absentee ballots. The amendment requires the Secretary of State to issue a report on the central issuance and processing of absentee ballots for uniformed service and overseas voters to the joint standing committee of the Legislature having jurisdiction over voting matters by March 1, 2011. The amendment also specifies that the bill, as amended by this amendment, does not apply to the primary election scheduled to occur in June 2010, and adds an emergency preamble and clause to the bill.

Enacted Law Summary

Public Law 2009, chapter 563 allows voters from all municipalities in the State to request absentee ballots using the Secretary of State's online absentee ballot request service. It also allows the Secretary of State to facilitate voting by uniformed service and overseas voters by allowing central issuance, receipt and counting of the absentee ballots of these voters and electronic transmission of absentee ballots to and receipt of absentee ballots from these voters. It requires the Secretary of State to adopt rules regarding the central issuance and processing of absentee ballots for uniformed service and overseas voters to ensure the ballots are examined, counted and stored in the same manner as regular absentee ballots. Chapter 563 requires the Secretary of State to issue a report on the central issuance and processing of absentee ballots for uniformed service and overseas voters to the joint standing committee of the Legislature having jurisdiction over voting matters by March 1, 2011. Finally, this law specifies that the uniformed services and overseas voting provisions do not apply to the primary election scheduled to occur in June 2010.

Chapter 563 was enacted as an emergency measure effective March 29, 2010.

LD 1596 An Act Regarding Mobile Service Bars at Municipal Golf Courses

**PUBLIC 472
EMERGENCY**

<u>Sponsor(s)</u>	<u>Committee Report</u>	<u>Amendments Adopted</u>
PERRY J	OTP-AM	S-352

Current law requires that only employees of a golf course may dispense or sell malt liquor from a licensed mobile service bar. This bill provides that employees of a restaurant or lounge licensed to serve alcoholic beverages that is contracted by a municipal golf course that does not have its own liquor license may sell or dispense malt liquor from a mobile service bar on the municipal golf course.

Joint Standing Committee on Legal and Veterans Affairs

Committee Amendment "A" (S-352)

This amendment adds an emergency preamble and emergency clause to the bill.

Enacted Law Summary

Public Law 2009, chapter 472 provides that employees of a restaurant or lounge licensed to serve alcoholic beverages that is contracted by a municipal golf course that does not have its own liquor license may sell or dispense malt liquor from a mobile service bar on the municipal golf course.

Chapter 472 was enacted as an emergency measure effective February 23, 2010.

LD 1627 An Act To Improve Access to Data in the Central Voter Registration System

PUBLIC 564

<u>Sponsor(s)</u>	<u>Committee Report</u>	<u>Amendments Adopted</u>
TRINWARD SULLIVAN	OTP-AM	H-656 H-687 TRINWARD

This bill repeals several provisions of law relating to the implementation of a central voter registration system. The bill removes the provision of law that would have repealed laws governing the use and distribution of central voter registration system information and clarifies the restrictions on access to data from the central voter registration system, enhances access to voter data by governmental or quasi-governmental entities for authorized purposes other than solicitations and improves access to absentee voter data and statistical data. The bill provides that individuals or entities that purchase voter data electronically are entitled to receive up to 11 free updates to the data in a one-year period, but not more frequently than one update in any 30-day period. The bill also moves the provisions of law regarding the biennial municipal caucus list into the section of law governing access to data from the central voter registration system.

Committee Amendment "A" (H-656)

This amendment replaces date of birth with year of birth as a record that is made available from the central voter registration system for campaign-related and get-out-the-vote purposes. It also provides that fees collected by the Secretary of State for providing records from the central voter registration system may be used to offset costs necessary to comply with the federal Help America Vote Act of 2002. This amendment increases the fees for records proposed by the bill by 10%.

House Amendment "A" To Committee Amendment "A" (H-687)

This amendment clarifies that the use and distribution of central voter registration system information for party activities are permitted even if those activities do not relate to a campaign or a so-called "get out the vote" effort. The amendment also adds language that allows a Legislator use of central voter registration system data for purposes of communicating with the Legislator's constituents and conducting legislative business.

Enacted Law Summary

Public Law 2009, chapter 564 repeals several provisions of law relating to the implementation of a central voter registration system. It removes the "sunset" provision that would have repealed laws governing the use and distribution of central voter registration system information and clarifies the restrictions on access to data from the central voter registration system, enhances access to voter data by governmental or quasi-governmental entities for authorized purposes other than solicitations and improves access to absentee voter data and statistical data. Chapter