

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

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

Joint Standing Committee on Legal and Veterans Affairs

564 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. 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. Chapter 564 increases the fees for records by 10%.

This law 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. It 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. Finally, chapter 564 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.

LD 1628 **An Act To Amend the Laws Governing the Taste Testing of Alcoholic Beverages**

**PUBLIC 510
EMERGENCY**

<u>Sponsor(s)</u>	<u>Committee Report</u>	<u>Amendments Adopted</u>
FITTS	OTP-AM MAJ ONTP MIN	H-645

This bill amends the law governing the taste testing of alcoholic beverages to remove a provision that requires taste testing of alcoholic beverages by licensed retail establishments to be conducted in a manner that precludes the possibility of observation by children. It replaces that provision with a requirement that signs announcing the time and date of a taste-testing event be posted for at least seven days immediately prior to the event. The bill also makes a minor technical clarification.

Committee Amendment "A" (H-645)

This amendment removes the specific time period that a sign announcing an alcoholic beverage taste-testing event must be posted. The amendment also increases the number of events a licensee may conduct from 12 to 24 per year. Finally, the amendment also allows for invitation-only taste-testing events in place of or concurrent with an event open to the public.

Enacted Law Summary

Public Law 2009, chapter 510 amends the law governing the taste testing of alcoholic beverages to remove a provision that requires taste testing of alcoholic beverages by licensed retail establishments to be conducted in a manner that precludes the possibility of observation by children. It replaces that provision with a requirement that signs announcing the time and date of a taste-testing event be posted prior to the event. Chapter 510 increases the number of events a licensee may conduct from 12 to 24 per year and also allows for invitation-only taste-testing events in place of or concurrent with an event open to the public.

Public Law 2009, chapter 510 was enacted as an emergency measure effective March 16, 2010.