

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 176 An Act To Provide Notice to the General Public about Proposed Initiative Questions

**PUBLIC 234
EMERGENCY**

<u>Sponsor(s)</u>	<u>Committee Report</u>	<u>Amendments Adopted</u>
STRIMLING	OTP-AM	S-114

Current law provides that the Secretary of State is required to provide the wording of the ballot question to initiative petition applicants within 10 business days of receipt of written consent to the final language of the proposed initiative law.

This bill, proposed as an emergency measure, requires the Secretary of State to provide reasonable notice to the general public when the Secretary of State drafts a question that will be on a ballot for a citizen initiative. After providing notice, the Secretary of State would be required to provide a 30-day opportunity for members of the general public to provide comments with respect to the accuracy of the proposed question. After accepting and reviewing all commentary submitted, the Secretary of State would then finalize the initiative question.

Committee Amendment "A" (S-114)

This amendment replaces the bill. The amendment, an emergency measure, establishes a comment period so that the public may offer comments on the wording and content of ballot questions for any initiative that will appear on the ballot in accordance with the procedure for citizen-initiated measures. The amendment requires the Secretary of State to propose a question for the initiative within 10 business days after adjournment of the legislative session. That proposed question will be posted on the publicly accessible website of the Secretary of State along with a notice of a public comment period. The notice may also be published in newspapers with general statewide circulation. No later than 10 days after receiving public comments, the Secretary of State shall write the question to appear on the ballot.

This amendment also makes changes to provisions of law that have been rendered inconsistent by the November 2006 passage of a Constitutional Amendment regarding when petitions for citizen initiatives are due to municipalities for signature verification.

Enacted Law Summary

Public Law 2007, chapter 234 establishes a comment period so that the public may offer comments on the wording and content of ballot questions for any initiative that will appear on the ballot in accordance with the procedure for citizen-initiated measures. It requires the Secretary of State to propose a question for the initiative within 10 business days after adjournment of the legislative session. That proposed question will be posted on the publicly accessible website of the Secretary of State along with a notice of a public comment period. The notice may also be published in newspapers with general statewide circulation. No later than 10 days after receiving public comments, the Secretary of State shall write the question to appear on the ballot.

This law also makes changes to provisions of law that have been rendered inconsistent by the November 2006 passage of a Constitutional Amendment regarding when petitions for citizen initiatives are due to municipalities for signature verification.

Chapter 234 was enacted as an emergency measure effective June 5, 2007.