

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 663

An Act To Update Absentee Ballot Procedures

**PUBLIC 122
EMERGENCY**

<u>Sponsor(s)</u>	<u>Committee Report</u>	<u>Amendments Adopted</u>
BARSTOW	OTP-AM	H-102

Current law provides that an immediate family member may request an absentee ballot for a person. This bill, proposed as an emergency measure, amends the definition of immediate family member under the election laws to include domestic partners.

Committee Amendment "A" (H-102)

This amendment clarifies the use of the term "domestic partner" by creating a definition in election law rather than relying on a cross-reference to another title. Current law provides that an immediate family member may request an absentee ballot for a person. This amendment changes the definition of "immediate family" under the election laws to include domestic partners. The definition of "domestic partner" as written in this amendment applies only to election law.

Enacted Law Summary

Current law provides that an immediate family member may request an absentee ballot for a person. Public law, chapter 122 changes the definition of "immediate family" under the election laws to include domestic partners. The definition of "domestic partner" as written in this law applies only to election law. Chapter 122 was enacted as an emergency measure and became effective on May 15, 2007.

LD 683

An Act To Limit the Activities of Political Candidates at Polling Places to Voting

**ACCEPTED ONTP
REPORT**

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

Current law prohibits activities within the voting place and on public property within 250 feet of a voting place that influence or attempt to influence another person's decision regarding a candidate or question on the ballot for election that day. It does not prohibit a candidate from attending the voting place and orally communicating with voters as long as there is no attempt to influence and the candidate does not state the name of the office for which they are seeking election. This bill would limit a candidate's presence at the voting place only to vote.

Committee Amendment "A" (S-92)

This amendment, which was not adopted clarifies the bill's prohibition on candidates' activities at the voting place and creates a separate statutory provision. The amendment adds a further restriction prohibiting a candidate from being within 50 feet of an entrance to a voting place, except for the purposes of voting.

LD 699

Resolve, Establishing the Commission To Improve Certain Aspects of the Citizen Initiative Process

ONTP

<u>Sponsor(s)</u>	<u>Committee Report</u>	<u>Amendments Adopted</u>
CRAVEN MARTIN	ONTP	