

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 1328

**RESOLUTION, Proposing an Amendment to the Constitution of Maine
To Limit the Frequency with which an Issue May Appear on the Ballot
as a Result of a Direct Initiative**

ONTP

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

This resolution proposes amending the Constitution of Maine to provide that, if a direct initiative is submitted to the electors and it fails to receive the number of votes necessary for enactment, the same or substantially the same measure may not be proposed through a direct initiative for the following 5 years.

**LD 1341 An Act To Clarify Restrictions on Accepting Campaign Contributions
Laws**

PUBLIC 279

<u>Sponsor(s)</u>	<u>Committee Report</u>	<u>Amendments Adopted</u>
MILLS J	OTP-AM	H-337

This bill amends the laws governing legislative ethics and the prohibition against campaign contributions from and solicitations of a lobbyist, lobbyist associate or employer during legislative session. It specifies that during the time period from January 1st to June 15th such contributions or solicitations are prohibited. This provision would be in addition to what current law provides which is a prohibition when the Legislature is in session. It also includes seed money contributions collected as part of the certification process for Maine Clean Election Act would be prohibited. Current law provides that qualifying contributions required by the Maine Clean Election Act are permitted and that is not changed by this bill.

Committee Amendment "A" (H-337)

This amendment strikes the provision in the bill that prohibits receipt and solicitation of contributions from lobbyists until June 15th. Current law provides that receipt and solicitation of contributions from lobbyists is prohibited during legislative session except during the period after the filing deadline as a candidate for election, March 15th. This amendment removes that exception so that receipt and solicitation of contributions from lobbyists would be prohibited at any time during legislative session.

Enacted Law Summary

Public Law 2007, chapter 279 specifies that receipt and solicitation of contributions from lobbyists is prohibited at any time during a legislative session.

LD 1362 An Act To Amend the Laws Governing Municipal Elections

ONTP

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

This bill provides that recounts for elections at the municipal level will be subject to the same process for state-level recounts. The bill provides when a deposit is not required for recounts based on vote tabulations and the total number of votes cast. Beyond those exceptions, the Secretary of State determines the amount of deposit which must be 50% of the reasonable estimate of the cost to the Secretary of State to perform the recount.