

MAINE STATE LEGISLATURE

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STATE OF MAINE
124TH LEGISLATURE
FIRST REGULAR SESSION



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

JOINT STANDING COMMITTEE ON JUDICIARY

July 2009

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STATE OF MAINE

124TH 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 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:

CARRIED OVER.....	Carried over to a subsequent session of the Legislature
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; bill died
ONTP (or Accepted ONTP report).....	Ought Not To Pass report accepted; bill died
P&S XXX.....	Chapter # of enacted Private & Special Law
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

The effective date for non-emergency legislation enacted in the First Regular Session of the 124th Legislature is September 12, 2009. The effective date for legislation enacted as an emergency measure is specified in the enacted law summary for those bills.

Joint Standing Committee on Judiciary

LD 546 An Act To Ensure Access to Public Information

PUBLIC 165

<u>Sponsor(s)</u>	<u>Committee Report</u>	<u>Amendments Adopted</u>
TRAHAN	OTP-AM	S-119

This bill amends the laws governing the Office of Information Technology to provide that the office must provide access to public records that exist in electronic format if the records requested are created, collected or used by an agency or agencies for which the office provides services. The bill requires the Chief Information Officer to adopt routine technical rules to carry out this change in law.

Committee Amendment "A" (S-119)

This amendment replaces the bill. It adds a new section to the law governing the Office of Information Technology to clarify that an agency that collects or uses data or information is responsible for responding to requests for the data or information and that the office is responsible for assisting the agency in searching for and identifying the data and information stored within the office. The office must also assist in retrieving and compiling the data and information to help the agency respond to the request.

Enacted Law Summary

Public Law 2009, chapter 165 adds a new section to the law governing the Office of Information Technology to clarify that an agency that collects or uses data or information is responsible for responding to requests for the data or information and that the office is responsible for assisting the agency in searching for and identifying the data and information stored within the office. The office must also assist in retrieving and compiling the data and information to help the agency respond to the request.

LD 580 An Act Concerning the Automatic Dissolution of Certain Marriages

PUBLIC 96
EMERGENCY

<u>Sponsor(s)</u>	<u>Committee Report</u>	<u>Amendments Adopted</u>
PRIEST HASTINGS	OTP	

This bill repeals the Maine Revised Statutes, Title 19-A, section 751, subsection 2, which provides that a marriage is void and dissolved without legal process when there is a final entry of a criminal judgment sentencing either spouse to a term of life imprisonment.

Enacted Law Summary

Public Law 2009, chapter 96 repeals the Maine Revised Statutes, Title 19-A, section 751, subsection 2, which provides that a marriage is void and dissolved without legal process when there is a final entry of a criminal judgment sentencing either spouse to a term of life imprisonment.

Public Law 2009, chapter 96 was enacted as an emergency measure effective May 8, 2009.