

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 LEGAL AND
VETERANS' AFFAIRS**

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 Legal and Veterans Affairs

LD 534 An Act To Require Disclosure to a Potential Signer That a Circulator of Petitions for a Direct Initiative or People's Veto of Legislation Is Being Paid **ONTP**

| <u>Sponsor(s)</u> | <u>Committee Report</u> | <u>Amendments Adopted</u> |
|----------------------|-------------------------|---------------------------|
| CAMPBELL SULLIVAN | ONTP | |

This bill requires that the circulators of petitions for a direct initiative or a people's veto disclose to each potential signer the fact that the circulator is being paid or compensated.

LD 547 An Act To Amend the Laws Concerning Write-in Candidates for Elected Office To Increase Fairness **ONTP**

| <u>Sponsor(s)</u> | <u>Committee Report</u> | <u>Amendments Adopted</u> |
|-------------------|-------------------------|---------------------------|
| BOWMAN | ONTP | |

This bill amends the laws pertaining to write-in candidates. It strikes the requirement that a voter must include a write-in candidate's municipality of residence when marking a general election ballot. It also allows for the use of stickers in order to place the name of a write-in candidate on a ballot. Current law requires that a candidate file a declaration with the Secretary of State 3 business days prior to an election to be considered a declared write-in candidate. This bill changes that requirement to 45 days prior to an election. The bill also requires the Secretary of State to provide a list of write-in candidates with sample ballots provided to municipalities and to include a list of all candidates on the tally sheets provided to election clerks for listing election results. Finally, this bill directs the Secretary of State to amend the voter information portion of its website to include the names of all qualified candidates for Governor, the House of Representatives and the Senate, including write-in candidates.

LD 548 An Act To Provide Information to Maine Voters About the Cost and Fiscal Impact of Citizens' Initiatives **ONTP**

| <u>Sponsor(s)</u> | <u>Committee Report</u> | <u>Amendments Adopted</u> |
|-------------------|-------------------------|---------------------------|
| SCHNEIDER | ONTP | |

This bill requires the Secretary of State to request assistance from the Office of Fiscal and Program Review in determining whether a direct initiative will have a fiscal impact. If the Office of Fiscal and Program Review determines that the direct initiative has a cost other than the cost associated with conducting a referendum on the direct initiative, the person who submitted the direct initiative must indicate in a subsequent draft of the direct initiative submitted to the Secretary of State how the cost of the direct initiative will be paid. The bill also requires the Secretary of State to include information on the cost of the direct initiative and how that cost will be paid in the ballot question.