

# MAINE STATE LEGISLATURE

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STATE OF MAINE  
125<sup>TH</sup> LEGISLATURE  
FIRST REGULAR SESSION



Summaries of bills, adopted amendments and laws enacted or finally passed

**JOINT STANDING COMMITTEE ON JUDICIARY**

July 2011

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STATE OF MAINE  
125<sup>TH</sup> LEGISLATURE  
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LEGISLATIVE DIGEST OF BILL SUMMARIES AND  
ENACTED LAWS

This *Legislative Digest of Bill Summaries and Enacted Laws* summarizes all LDs and adopted amendments and all laws enacted or finally passed during the First Regular Session of the 125<sup>th</sup> Maine Legislature.

The *Digest* is arranged alphabetically by committee and within each committee by Legislative Document (LD) number. The committee report(s), prime sponsor and lead co-sponsor(s), if designated, are listed below each LD 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 LD is noted to the right of the LD title. The following describes the various final actions.

*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; legislation died  
*DIED BETWEEN HOUSES*..... House & Senate disagreed; legislation died  
*DIED IN CONCURRENCE*..... defeated in each house, but on different motions; legislation died  
*DIED ON ADJOURNMENT*..... action incomplete when session ended; legislation died  
*EMERGENCY*..... enacted law takes effect sooner than 90 days after session adjournment  
*FAILED, EMERGENCY ENACTMENT or FINAL PASSAGE* ..... emergency failed to receive required 2/3 vote  
*FAILED, ENACTMENT or FINAL PASSAGE*..... failed to receive final majority vote  
*FAILED, MANDATE ENACTMENT* ..... legislation proposing local mandate failed required 2/3 vote  
*HELD BY GOVERNOR*..... Governor has not signed; final disposition to be determined at subsequent session  
*LEAVE TO WITHDRAW*..... sponsor's request to withdraw legislation granted  
*NOT PROPERLY BEFORE THE BODY* ..... ruled out of order by the presiding officer; legislation died  
*INDEF PP*..... indefinitely postponed; legislation died  
*ONTP, ACCEPTED, MAJORITY, MINORITY or REPORT X*... ought-not-to-pass report accepted; legislation died  
*P&S XXX*..... chapter # of enacted private & special law  
*PUBLIC XXX*..... chapter # of enacted public Law  
*RESOLVE XXX*..... chapter # of finally passed resolve  
*VETO SUSTAINED*..... Legislature failed to override Governor's veto

The effective date for non-emergency legislation enacted in the First Regular Session of the 125<sup>th</sup> Legislature is September 28, 2011. The effective date for legislation enacted as an emergency measure may be found in the enacted law summary for that legislation.

*Joint Standing Committee on Judiciary*

**LD 1496**

**An Act To Enforce Immigration Laws and Restrict Benefits to Legal Citizens**

**ONTP**

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

This bill requires a law enforcement officer who legally detains a person for a suspected criminal or civil violation to require that person to provide proof of citizenship in addition to name, address and date of birth. If a law enforcement officer has a reasonable suspicion that the person is an illegal alien, the officer must attempt to determine the immigration status of the person. A person illegally in the United States who has been convicted of a crime in this State, following completion of the punishment, must be transferred immediately to the custody of the United States Immigration and Customs Enforcement or the United States Customs and Border Protection.

This bill also requires an applicant for state assistance under the Temporary Assistance for Needy Families program, the MaineCare program or the food stamp program or for municipal assistance to be a legal resident of the United States and a resident of this State.

**LD 1502 An Act To Amend the Maine Business Corporation Act**

**PUBLIC 274**

<u>Sponsor(s)</u>	<u>Committee Report</u>	<u>Amendments Adopted</u>
PRIEST HASTINGS	OTP-AM	H-363

This bill amends the Maine Business Corporation Act to reflect recent changes made to the model act on which the Maine Business Corporation Act is based.

**Committee Amendment "A" (H-363)**

This amendment retains the provisions of the bill and does the following:

1. It provides that if more than one form of communication is used, a notice or other communication is effective when the earliest of the applicable methods occurs;
2. It specifically allows articles of incorporation and bylaws to authorize or require electronic notice of directors' meetings; and
3. It provides that the execution of a certificate or articles containing one or more false statements constitutes unsworn falsification under the Maine Revised Statutes, Title 17-A, section 453.

**Enacted Law Summary**

Public Law 2011, chapter 274 amends the Maine Business Corporation Act to reflect recent changes made to the model act on which the Maine Business Corporation Act is based. It also provides that the execution of a certificate or articles containing one or more false statements constitutes unsworn falsification under the Maine Revised Statutes, Title 17-A, section 453. Public Law 2011, chapter 274 provides that if more than one form of communication is used, a notice or other communication is effective when the earliest of the applicable methods occurs. It also specifically allows articles of incorporation and bylaws to authorize or require electronic notice of