



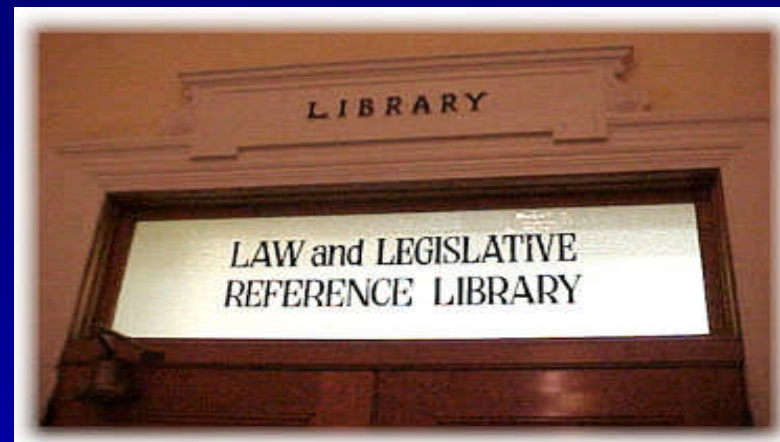
Maine Law

*How the Legislature Makes Maine Laws
&
How to Find information
about the Laws on the Web*

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Augusta, Maine
1/28/2011*



*Welcome
to the
Maine*



State Law & Legislative Reference Library

The Maine State Law & Legislative Reference Library was established in 1836. It was part of the State Library until 1972 when the State Library moved to its new building.

We are a Legislative agency and open to all Maine citizens. We are also designated by statute as the Maine Supreme Judicial Court Library. Our staff consists of 13 full time and 1 part time employees. There are six reference Librarians.

The Law Library accepts reference questions in person, by letter, phone, fax and email. We receive questions of both a legal and legislative nature from all over the United States and the world.

Collections at the Maine State Law & Legislative Reference Library

- **Maine Legislative Materials (generally back to 1835)**
 - **Maine Laws and Codes 1820+**
 - **Legislative Record 1897+**
 - **House and Senate Journals 1854+**
 - **Massachusetts Laws back to 1628**
- **All State Statutes & Federal Statutes**
- **Maine and Federal Regulations**
- **Periodicals & Law Reviews**
- **Law & Legal Publications**
- **Federal Government Documents**
- **Newspaper Clipping Collection**

Law Library Web Sites

The Maine State Law & Legislative Reference Library maintains a web sites on the Internet at: <http://www.state.me.us/legis/lawlib/homepage.htm>

The first, on the right, is the actual website for the Law Library. It includes information on our collections, policies and a variety of links to Maine State government.



It also includes a link to our “I Research” website below. This organizes the major State, Federal and many other legal and informational resource and websites for your research convenience. If you need to do any Legal, Legislative or Statutory research, we would suggest that you bookmark our I Research Page.

<http://www.maine.gov/legis/lawlib/iresearch.htm>



The Legislature's Web Page

The Maine Legislature maintains this website. Here you will find information on The Maine House and Senate, Legislative Offices, bills introduced and what happened to them, information about your Legislators and links to the Maine Revised Statutes, Session Laws and other data and publications.



The screenshot shows the homepage of the Maine State Legislature. At the top left is a banner image of the Maine State House with the text "Maine State Legislature". To the right of the banner is a search bar with "LD #", "or", and "Find" buttons. Below the search bar are links for "Statutes", "Session Laws", "Bill Status", "Constitution", "Freedom of Access", and "Agency Rulemaking Notices". A navigation bar below these links identifies the "Maine Senate" and "House of Representatives". A central announcement states: "125th Maine Legislature 1st Regular Session convened 12/1/2010. Statutory adjournment is 6/15/2011." Below this is a table of navigation links:

THE LEGISLATURE	Leadership, Members, Committees, OPEGA, Constitutional Officers	Live Senate Video
LEGISLATIVE COUNCIL	Legislative Council Members, Schedules, Meeting Summaries	Live House Video
COUNCIL OFFICES	Legislative Council Non-Partisan Staff Offices, Employment Information	Audio
PUBLICATIONS	Various publications, including legislation, statutes, Legislative Record, guides, reports and handbooks.	Schedules
CONTACT US	Find your Legislators, Ask-A-Librarian, Session Information, Executive Director's Office	Committees
EMERG. PREPAREDNESS	Emergency Preparedness and Safety Information, including Legislative Office Closings	

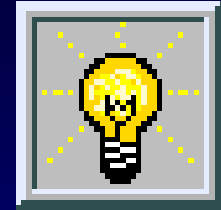
At the bottom of the page, there is a footer with links: "Maine.gov | Judicial Branch | Disclaimer | Site Map | Maine.gov Search | Contact Webmaster".

<http://www.maine.gov/legis/homepage.htm>

The Legislative Process

- *THE IDEA*
- *BILL DRAFTED AND INTRODUCED*
- *COMMITTEE REFERENCE*
- *COMMITTEE ACTION*
- *FIRST READING*
- *SECOND READING & ENGROSSMENT*
- *ENACTMENT*
- *GOVERNOR*
- *MAINE LAWS*

The Idea



The Legislator's Primary Function

- **Propose, consider and enact laws**
 - **Enact new laws**
 - **Amend or update existing laws**
 - **Repeal archaic or unconstitutional laws**

Many Sources for an Idea

- *Legislators*
- *Citizens*
- *Governor, State Agencies and the Judiciary*
- *Lobbyists*
- *Public Interest Groups*
- *Committees*
- *Study Groups*
- *Municipal Officials*
- *Court Decisions*

Bills Drafted & Introduced

• Text of Legislative Documents [L.D.] (also called a bill or legislation)

- Available after the Sponsor approves the final draft and the L.D. is introduced on the House & Senate floor

- The Text and Status of an introduced L.D. can be found by its number, sponsor or keyword/subject on the Legislature's website "**Bill Status**" at:

<http://www.mainelegislature.org/LawMakerWeb/search.asp>

- Type in the L.D. number and click. Information on the L.D. is available on the left hand column.

- If you know the L.D. number and only want the text just type in the L.D. number, then click on "Bill Text and Other Docs.

<http://www.mainelegislature.org/LawMakerWeb/search.asp>

- Keyword search for an L.D. text at "**Bill Status**", Advanced Search at:

<http://www.mainelegislature.org/LawMakerWeb/advancedsearch.asp>

Committee Reference



Upon introduction:

- The L.D. is referred by the originating Chamber to a Joint Standing Committee

- Joint Standing Committees

- 16 Committees, each covers an area of law

- Committee membership is no more than 3 Senators and 10 Representatives

- Both Houses must agree on the same Committee referral

- Committee Referral information can be found on the “**Bill Status**” site in the left hand column under “**Committee Information**” at:

<http://janus.state.me.us/legis/status/search.asp>

Joint Standing Committees of the 125th Legislature

- [Agriculture, Conservation and Forestry](#)
- [Appropriations and Financial Affairs](#)
- [Criminal Justice and Public Safety](#)
- [Education and Cultural Affairs](#)
- [Energy, Utilities and Technology](#)
- [Environment and Natural Resources](#)
- [Health and Human Services](#)
- [Inland Fisheries and Wildlife](#)
- [Insurance and Financial Services](#)
- [Judiciary](#)
- [Labor, Commerce, Research and Economic Development](#)
- [Marine Resources](#)
- [State and Local Government](#)
- [Taxation](#)
- [Transportation](#)
- [Veterans and Legal Affairs](#)

Committee Actions After Referral

● *Public Hearings*

● *Work Sessions*

● *Committee Votes out a
Report to the Floor*

Public Hearings

- Are scheduled and advertised in newspapers two weeks before the Hearing
- Are open to the Public
- Are the Public's chance to have input on an L.D.

- Hearing Schedules can be found under “Session Information” see:

- “Advanced Notice of Public Hearings” at:

<http://www.maine.gov/legis/senate/Documents/hearing/ANPHFrame.htm>

or

- “Public Hearing Schedule” at:

http://www.mainelegislature.org/legis/bills/phwkSched_ps.asp?PID=1456

Work Sessions

- *Committee considers input from the Hearings*
- *May propose Amendments to the L.D.*
- *Committee Vote and Report*
 - **The Final Committee vote is called a “Report”**
 - **The Report is sent back to the originating chamber or body**
- *The Committee may recommend in the Report:*
 - **The L.D. as is**
 - **The L.D. with any proposed amendment**
 - **A Divided report**
- *Reports from the Committee are:*
 - **“Ought to Pass”**
 - **“Ought to Pass Amended”**
 - **“Ought to Pass in New Draft”**
 - **‘Ought Not to Pass’**
 - **“Referral to Another Committee”**

First Reading

Actions

- *Committee's Report is received*
- *Vote must be held to accept or reject the Report*
- *Debate may occur if a divided or less than unanimous report is received*
- *No debate occurs if a unanimous Committee Report is accepted*
- *After the vote, the L.D. and chamber action is sent to the other body for its action on the Committee Report*



Floor Actions and Legislative Debate

Once you have an L.D. number (Current Session only)

 **Find floor actions on “Bill Status” at:**

<http://www.mainelegislature.org/LawMakerWeb/search.asp>

 Type in the L.D. number and click enter.

 In the left hand column select “Actions”.

 Copy the dates of action or “Docket” for the House and Senate.

Legislative Debate from 1997 to 2010 is available online at the Law Library’s main website under *IResearch*, Maine Law and Government, Legislative Record or at the House and Senate websites.

Please note that the Docket dates are not available. Search online at “Bill Status” under “Actions” or call the Law Library for this information. Once you have the correct date up on the screen, you will have to search the Legislative Record by using the Find feature.

Second Reading & Engrossment

Actions

- **Floor amendments may be submitted**
- **Debate may occur**
- **Roll Calls can be taken**
- **Passage to be Engrossed**
 - *The L.D. and any adopted Committee and floor amendments are “Engrossed” into an integrated final document.*



Enactment

Actions



- **Debate**
- **Votes and Roll Calls**
- **More Amendments if disagreements occur**
 - **House**
 - Always takes up the enactment vote first
 - The enacted L.D. is signed by the Speaker
 - Sent to the Senate for same action
 - **Senate**
 - If it enacts the L.D.
 - The Senate President signs the enacted legislation
 - It is sent to the Governor for action
- **If the Senate fails to enact the L.D. it returns to the House for further action**

Amendments and Roll Calls

- Find Committee and Floor Amendments on “Bill Status” at:

<http://www.mainelegislature.org/LawMakerWeb/search.asp>Type

Type in in the L.D. number and enter.

- In the left hand column select “Amendments”

- Find Roll Calls (there may not be any) on “Bill Status” at:

<http://www.mainelegislature.org/LawMakerWeb/search.asp>

- Type in the L.D. number and enter

- In the left hand column select “Roll-calls”

Engrossed Bills or “Engrossers” are not available online. It includes language from any enacted amendments. If the engrosser is enacted, then the text is the same as the Session law that the Governor takes action on.

Governor

Actions the Governor can take



- **Within 10 days the Governor must sign or veto the legislation**
 - **A vetoed bill has to be returned to the bill's originating body for for a 2/3 vote to override**
 - **If the body overrides the Governor's veto, it goes to the other body for its override vote**
 - **When only one body overrides the veto, the bill dies**
- **Legislation becomes law without the Governor's signature after 10 days if it is not vetoed or signed**
- **If the Legislature adjourns the Governor may "Hold" or "Pocket Veto" the legislation indefinitely or until the Legislature returns into session. By the fourth day of the session, he must veto the bill or it becomes law**

The Legislature's and Governor's Actions

Bill Status

All Legislative process steps and final actions on any L.D. are available on “Bill Status” at:

<http://www.mainelegislature.org/LawMakerWeb/search.asp>

- Type in the L.D. number and enter
- In the left hand column select “Actions” and click

Maine Laws

Session Laws

- Laws enacted at a session of the Legislature and published in the “Laws of Maine”
- Four types of Session Laws are included
 - Public Laws: General Laws that all Maine Citizens have to abide by. These are codified in the Maine Revised Statutes Annotated (MRSA)
 - Private & Special: Laws that effect a particular person(s), private institutions - (Colleges, railroads, sewer districts)
 - Resolves: Laws that have a temporary and specific purpose. They have the force of law: (Land swaps, money for a specific purpose, to allow some to sue the State)
 - Constitutional Resolutions: Laws that amend the Maine Constitution. They must be passed at referendum
 - Initiated Bills (I.B.) are a special case. These are published in the Laws of Maine after being enacted at referendum and assigned an Initiated Bill (I.B.) designation and number

Web Resources for Maine Session Laws & Statutes

● Session Laws – All Laws Enacted at Each Session

● Available from the 118th Legislature 1997-98 to the 124th Legislature 2nd Regular Session 2010 from:

● The Office of the Revisor of Statutes at:

<http://www.mainelegislature.org/ros/LOM/LOMDirectory.htm>

Maine Statutes / Maine Revised Statutes

● The current Maine Statutes are on the web at:

<http://www.mainelegislature.org/legis/statutes/>

The effective date for non-emergency laws are determined as effective 90 days after the Legislature adjourns. Text of the new Session Laws for the current Legislature are available online at:

<http://www.mainelegislature.org/LawMakerWeb/search.asp>

They should be posted on the web by mid July, until then contact the “Revisor’s Office” at (207) 287-1650 or the Law Library for copies

The End
Now You Know

