



# ACLU

AMERICAN CIVIL LIBERTIES UNION  
of MAINE



# 2017 LEGISLATIVE REVIEW

VOL. 43 NO. 4

The First Regular Session of the 128th legislature has finally, *finally*, come to a close. In addition to being drawn out, the session was also incredibly fraught. We faced a tense political climate nationwide, the general sense that the Maine legislature was at a standstill for much of the session, and a governor who seemed determined to impede any possible progress. Yet we also felt incredibly hopeful – because more than ever, Mainers turned out at the legislature to make their voices heard on the issues that matter most to them. And because of that – because of you, the people who called and emailed your legislators, testified on bills, and showed up at rallies – civil liberties still came out on top.

## The Maine Legislature and Civil Liberties

**T**HIS SESSION, THE Maine legislature considered over 1600 bills, many of which had civil liberties implications good and bad. We weighed in on 73 bills and monitored dozens more. Of those, the large majority put us on the defensive: we testified against 50 bills that would have restricted civil rights and liberties. We are proud to say not one of those bills passed as written. In fact, 39 were defeated outright, three were amended to fix our concerns, and eight were carried over until next session.



Turnout was so high at some legislative hearings that we filled overflow rooms and spilled out into the hallways.

### VOTING RIGHTS

Voting is the cornerstone of democracy. Maine has a long history of protecting voting rights for all qualified people, and the ACLU of Maine works to preserve and strengthen those protections.

#### **LD 121: "An Act to Require Photo Identification to Vote"**

This bill would have required Mainers to present photo ID at the polls in order to vote. It would have manipulated the rules to make it harder for some people to vote. Voter ID has been comprehensively studied – and rejected – before.

**Position:** Opposed

**Status:** VICTORY! This bill was rejected by the full legislature and will not become law.

## VOTING RIGHTS

(CONTINUED)

### LD 155: "An Act to Protect Voting Integrity by Establishing a Residency Verification Requirement for Purposes of Voting"

This bill would have required increased scrutiny of voters who list a college dorm as their residence. College students who live in Maine have the right to vote in Maine. They should not be subject to different laws than anyone else.

**Position:** Opposed

**Status:** VICTORY! This bill was rejected by the full legislature and will not become law.

## IMMIGRANTS' RIGHTS

The protections of due process and equal protection embodied in our Constitution and Bill of Rights apply to every person in this country, not just those who were born here.

### LD 390, the budget

**Summary:** Portions of the budget would have disqualified asylum seekers and other new Mainers from accessing the social safety net.

**Position:** Opposed

**Status:** VICTORY! After tense budget negotiations and a brief government shutdown, the legislature finally passed a budget in early July. Public benefits for noncitizens were not cut from the budget.

### LD 366: "An Act to Ensure Compliance with Federal Immigration Law by State and Local Government Entities"

Like other so-called "anti-sanctuary city" bills around the country, this one capitalized on anti-immigrant fervor and would have required towns and cities to force their local law enforcement to act as immigration agents.

**Position:** Opposed

**Status:** VICTORY! This bill was rejected by the full legislature and will not become law.

## REPRODUCTIVE RIGHTS

In order to enjoy full liberty and be equal participants in society, women need to be able to make the decision about whether and when to have a child, free from undue government interference. This includes having access to birth control and abortion.

### LD 327: "An Act to Allow a Wrongful Death Cause of Action for the Death of a Viable Fetus"

This bill would have conveyed legal status to a fetus, granting the fetus the legal rights to "heirs and an estate" and the right to sue under Maine's probate code. Bills like this one have been used to chip away at abortion rights around the country.

**Position:** Opposed

**Status:** VICTORY! This bill failed to pass in the Senate and will not become law.

*"I went to Augusta to testify on several matters that were important to me and to the preservation of our liberties and our democracy, including voting rights and Internet privacy. I felt it was vital to make my voice heard from the earliest stage possible, the committee process, instead of waiting until it was time for my senator or representative to vote."*

SAMUEL S., HARPSWELL

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## DESIGN

Talley-O Design  
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Over 100 people gather outside the State House to tell legislators to reject an anti-immigrant bill.

## JUSTICE REFORM

The justice system should rely on evidence-based policies to protect public safety. Yet much like the rest of the country, Maine suffers from excessively harsh criminal justice policies that disproportionately affect poor people and people of color, result in mass incarceration, and stand in the way of a fair and equal society.

### **LD 1190: "An Act Regarding Driver's License Suspensions for Nondriving-related Violations"**

This bill seeks to end automatic license suspensions for missed fines payments for most non-driving related violations. Making it harder for people to get to work and other important appointments will only make it harder for them to pay their fines, further trapping them in the justice system.

**Position:** In support

**Status:** This bill will be carried over and taken up next session.

*"I was proud to represent Movimiento Cosecha and people like me and my family to speak against LD 366. That bill was racist and would have broken the family bond that we have and I am glad that it didn't pass."*

ETHAN B., 15, PORTLAND

It received a strong vote out of committee, 11-2 Ought to Pass. The bill was supported unanimously by the House and the Senate and is now pending in the Appropriations Committee.



ACLU of Maine advocacy director Oami Amarasingham testifies before a legislative committee.



**AMERICAN CIVIL LIBERTIES UNION**

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LEGISLATIVE REVIEW / 2017

**SAVE**

**THE**

**DATE!**

**ACLU OF MAINE ANNUAL MEETING  
AND MEMBER APPRECIATION NIGHT**

Join us for an evening with ACLU staff  
and a special film screening – film TBA.

**Monday, October 30**

5:30: Remarks and reception  
Film screening to follow

Frontier Café Cinema  
14 Maine Street, Brunswick

RSVP today: [info@aclumaine.org](mailto:info@aclumaine.org)

Watch [aclumaine.org/events](http://aclumaine.org/events)  
for more information.