



Legislative Review 2015

The first regular session of the 127th Legislature ended with a twist: an argument over the fate of 70 bills passed by the Legislature but neither signed nor vetoed by the governor. Gov. LePage argued that he had more time to take action on the bills, but we pointed out that the Constitution includes a clear timeline and that he had missed the deadline. We supported some of the bills in question and opposed others, but this was about ensuring a fair legislative process regardless of the issues involved.

ULTIMATELY, MAINE'S HIGHEST court agreed with us, ruling that the governor had indeed missed the deadline and that those bills are now law. The ruling affirmed what we wrote in a brief to the Court: our democratic process depends on accountability; elected officials can't make up the rules as they go along.

Veto confusion aside, we had a great session! Our legislative team worked especially hard to advance a fair and smart justice system, to protect reproductive freedom, and to expand privacy protections for all Mainers. Here are some of the highlights:

CRIMINAL JUSTICE

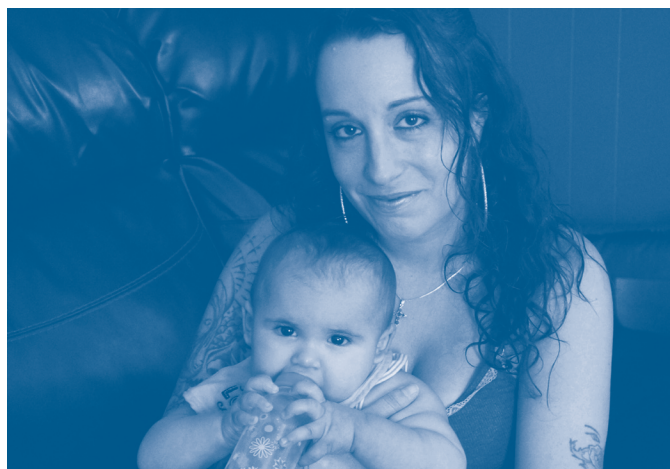
At long last, real drug law reform: Decades of the failed "war on drugs" and increased arrests have done nothing to fix Maine's drug addiction problem. With the passage of LD 113, people won't automatically face a felony and up to five years in prison for low-level possession charges. This will free up scarce resources that can be better spent on proven treatment and recovery programs, instead of locking people up without addressing the root causes of addiction.

A victory for basic human rights: Until this session, Maine was the only state in New England without restrictions on the shackling of pregnant prisoners. This practice poses a serious threat to the health of women and their pregnancies and constitutes cruel and unusual punishment. With the passage of LD 1013, Maine will no longer be an outlier on this human rights issue and all women will be treated with dignity during their pregnancies.

Ending debtors' prisons: A third bill in our criminal justice reform package would prohibit jailing people for being too poor to pay their fines. Locking people up for failure to pay fines creates a two-tiered justice system that subjects poor people to harsher penalties than people who have enough money to pay



ACLU of Maine attorneys Oami Amarasingham and Zach Heiden listened in as the Maine Law Court heard arguments on the governor's veto attempt. We submitted a friend-of-the-court brief in the case.



Courtney Fortin joined us at the Legislature to share her story of being shackled at the wrists and ankles for trips to the doctor's office while several months pregnant.

their fines. LD 951 was carried over to next session, and in the meantime we were appointed to a task force to study the issue.

Maine rejects the death penalty: We fought off a bill to reinstate capital punishment in Maine for some crimes. We were quick to remind the public that the death penalty is not only cruel and inhumane, but also ineffective as a deterrent. As the rest of the nation moves away from the death penalty, Maine should not be rushing to embrace the bad old days when the state killed people as punishment. The pressure worked; the bill's sponsor pulled it from consideration.



CREDIT: DAN D'IPPOLITO

A broad coalition fought back against efforts to make it harder for new Mainers to pay their rent and buy food.

EQUAL PROTECTION

Providing assistance to immigrants: Working with our allies in the Maine Immigrants' Rights Coalition, we scored a significant victory this session with the passage of LD

369. This critical law allows some immigrants, including asylum seekers who are not allowed to work, to receive General Assistance for up to two years. This means hundreds of new Mainers will still be able to pay the rent and buy food for their families, regardless of where they were born.

Maine doesn't discriminate:

Once again, we shut down a



We distributed signs to over 50 businesses across the state who took a stand against a discriminatory "RFRA" bill.

so-called "religious freedom" (RFRA) bill that was really a discrimination bill in disguise. Freedom of religion is a fundamental right, protected by the Maine Constitution and the First Amendment to the U.S. Constitution – but unlike our existing religious freedom protections, this bill would have put one individual's beliefs ahead of the common good of all Mainers. We quickly drummed up enough public backlash that the bill's sponsor withdrew it.

BOARD OF DIRECTORS

Susan Peck, *President*
Susan Bates, *Vice President*
Chris Branson, *Treasurer*
Molly Butler-Bailey, *Secretary*
Jodi Nofsinger, *Affirmative Action Officer*
M. Calien Lewis, *National Board Rep.*
John Paterson, *Past President*
Leana Amáez
Sarah Bigney
Daniel N. Crewe
Peter Del Bianco
Nancy Fannon
Jacob Gerritsen
Joyce T. Gibson
Colleen Khoury
Doug Kimmel
Harry Noel
Peggy Siegle
Robert E. Talbot
Daniel E. Wathen

ACLU of Maine Staff

Alison Beyea, *Executive Director*
Zachary Heiden, *Legal Director*
Rachel Myers Healy, *Communications & Public Education Director*
Ned Kane, *Development & Operations Director*
Oamshri Amarasingham, *Public Policy Counsel*
Samaa Abdurraqib, *Reproductive Freedom Organizer*
Margarita Salguero-Macklin, *Office Manager*

PUBLISHED BY

ACLU of Maine Foundation
121 Middle St., Suite 303
Portland, ME 04101
207-774-5444
info@aclumaine.org
www.aclumaine.org

DESIGN

Talley-O Design
www.talley-o.com



We joined women from across Maine at a lobby day to urge legislators to support bills that would protect women's health and reject bills that would chip away at reproductive rights.

REPRODUCTIVE FREEDOM

Standing up for young women: We worked with our coalition partners to defeat a bill that would have repealed Maine's existing successful adult involvement law and replaced it with a much narrower one. LD 83 would have forced teens to get consent from a parent or legal guardian prior to having an abortion – endangering young people who live in unsafe environments or who may be estranged from their parents.

Protecting access to abortion: We also joined our coalition partners to defeat a bad bill that would have placed unnecessary requirements on abortion providers. LD 1312, aka

the TRAP (Targeted Regulation of Abortion Providers) bill, could have forced Maine's already small number of providers to shut down, much like we saw in Texas after the passage of burdensome restrictions there.

Reproductive health services for all: We believe access to critical disease prevention and health services should be available for low income, underinsured and uninsured women and men, just like they are for people with higher incomes. With passage of LD 319, more than 13,000 low income Mainers will be able to get annual exams, testing and treatment for STDs, birth control and preventative screenings.

Session by the numbers

— ON OUR WATCH —

19 anti-civil liberties bills were defeated.

10 bills that protect and expand civil liberties became law.

7 potentially bad bills were satisfactorily amended before becoming law.

VOTING RIGHTS

Strengthening the integrity of elections:

Once again, we shut down a dangerous bill to require voters to show a photo ID at the polls. Many Mainers – particularly poor people, people of color, transgender Mainers, and the elderly – do not have the necessary identification that these laws require, and face barriers to voting as a result. If we really want to protect the integrity of elections in Maine, we should be encouraging more qualified people to vote, not making it harder for them to do so.

PRIVACY

No spies from above: We have long been at the forefront in the fight for privacy rights, which often means pushing for our laws to keep up with advancing technology. LD 25 requires the government to get a warrant before conducting searches with drones and places limits on the data that can be retained from such searches. While more robust protections are needed in the years to come, particularly as drone technology continues to evolve, these new restrictions go a long way toward ensuring our privacy is protected – both on the ground and from high up above.

Unfriending your boss: Thanks to LD 921, most employers are now prohibited from demanding social media passwords from current and prospective employees, meaning individuals cannot be coerced into giving up their right to privacy as a condition of employment.



AMERICAN CIVIL LIBERTIES UNION

121 Middle Street, Suite 303
Portland, ME 04101
www.aclumaine.org

NONPROFIT
ORG
U.S. POSTAGE
PAID
Portland, ME
Permit No.235

RETURN SERVICE REQUESTED



LEGISLATIVE REVIEW / 2015

You're Invited!

ACLU OF MAINE ANNUAL MEETING

Join us for an update on the state of civil liberties in Maine and a sneak peek at our upcoming work.

Wednesday, October 28

5:00 PM reception

5:30 PM program

The Island Institute

386 Main Street, Rockland

To RSVP: nkane@aclumaine.org or 774-5444x0

For more information: www.aclumaine.org/annualmeeting2015



CREDIT: SHUTTERSTOCK-KATHARINAM