

MAINE STATE LEGISLATURE

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STATE OF MAINE
125TH LEGISLATURE
FIRST REGULAR SESSION



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

**JOINT STANDING COMMITTEE ON VETERANS
AND LEGAL AFFAIRS**

July 2011

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STATE OF MAINE
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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 125th 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 125th 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 Veterans and Legal Affairs

Committee Amendment "A" (H-39)

This amendment strikes the bill and replaces it with a resolve directing the Commission on Governmental Ethics and Election Practices to adopt routine technical rules that require equipment purchased using Maine Clean Election Act funds to be sold for at least 75% of the original purchase price if that equipment is sold to the candidate or to a member of the candidate's immediate family or campaign staff. Current rules require that the item be sold for at least 40% of the purchase price.

Enacted Law Summary

Resolve 2011, chapter 19 directs the Commission on Governmental Ethics and Election Practices to adopt routine technical rules that require equipment purchased using Maine Clean Election Act funds to be sold for at least 75% of the original purchase price if that equipment is sold to the candidate or to a member of the candidate's immediate family or campaign staff. Current rules require that the item be sold for at least 40% of the purchase price.

LD 277 An Act To Make Disputed Ballots in State Elections Public

PUBLIC 258

Sponsor(s)

FOSEL
RECTOR

Committee Report

OTP-AM

Amendments Adopted

H-178

This bill requires the Secretary of State to make available for public inspection a disputed ballot arising from an election recount and specifies that the manner of making an absentee ballot available for public inspection must preserve the voter's anonymity.

Committee Amendment "A" (H-178)

This amendment specifies that the Secretary of State is required to make available for public inspection only copies of unresolved disputed ballots rather than the actual ballots. It also limits this public inspection of copies of disputed ballots to elections for the State House of Representatives and the State Senate. The amendment also specifies that the Secretary of State must retain these copies for two years.

Enacted Law Summary

Public Law 2011, chapter 258 requires the Secretary of State to make available for public inspection, copies of unresolved disputed ballots. This requirement applies to the public inspection of copies of disputed ballots to elections for the State House of Representatives and the State Senate. The law also specifies that the Secretary of State must retain these copies for two years.

LD 285 An Act Regarding the Qualifications of Candidates for Office

PUBLIC 239

Sponsor(s)

NASS
HASTINGS

Committee Report

OTP-AM

Amendments Adopted

H-341

This bill requires the Secretary of State to certify that candidates for legislative office meet the age and residency requirements contained in the Constitution of Maine.

Joint Standing Committee on Veterans and Legal Affairs

Committee Amendment "A" (H-341)

This amendment replaces the bill. The amendment requires the Secretary of State to provide a consent form to be signed by candidates who are seeking election that lists the statutory and constitutional requirements for that office. It also requires that form for replacement candidates selected by a political committee in the event of a vacancy.

Enacted Law Summary

Public Law 2011, chapter 239 requires the Secretary of State to provide a consent form to be signed by candidates who are seeking election that lists the statutory and constitutional requirements for that office. It also requires this form for replacement candidates selected by a political committee in the event of a vacancy.

LD 299 An Act Regarding the Southern Maine Veterans Memorial Cemetery PUBLIC 440

<u>Sponsor(s)</u>	<u>Committee Report</u>	<u>Amendments Adopted</u>
COURTNEY	OTP-AM	S-14 S-344 ROSEN R

This bill appropriates \$104,026 in fiscal year 2011-12 and \$198,971 in fiscal year 2012-13 for reorganizing one seasonal Equipment Operator I position to full-time and establishing one Office Associate II position and two Groundskeeper II positions at the Southern Maine Veterans Memorial Cemetery.

Committee Amendment "A" (S-14)

This amendment incorporates a fiscal note.

Senate Amendment "A" (S-344)

This amendment reduces the cost of the bill by reducing the number of funded positions and delays the funding until July 1, 2012. It also authorizes the Town of Springvale to seek donations to assist with the funding of the provisions.

Enacted Law Summary

Public Law 2011, chapter 440 provides funding for two Groundskeeper II positions at the Southern Maine Veterans Memorial Cemetery beginning July 1, 2012 and reorganizes two positions at the cemetery that are not funded. It also authorizes the Town of Springvale to seek donations to assist with the funding of the provisions.

LD 343 An Act To Facilitate a Change of Location for Agency Liquor Stores PUBLIC 135

<u>Sponsor(s)</u>	<u>Committee Report</u>	<u>Amendments Adopted</u>
GOODALL	OTP-AM	S-68

This bill allows an agency liquor store licensee to change the location of the licensed store to a location within the same municipality upon notice to the municipality and the Department of Public Safety's Bureau of Liquor Enforcement and subject to the provisions in state law concerning the location of agency liquor stores.