

MAINE STATE LEGISLATURE

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STATE OF MAINE
127TH LEGISLATURE
FIRST REGULAR SESSION



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

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

August 2015

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LEGISLATIVE DIGEST OF BILL SUMMARIES AND ENACTED LAWS

This *Legislative Digest of Bill Summaries and Enacted Laws* contains summaries of all LDs and adopted amendments and all laws enacted or finally passed during the First Regular Session of the 127th 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. An appendix provides a summary of relevant session statistics.

Final action on each LD is noted to the right of the LD title. The following describes the various final actions.

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

The effective date for non-emergency legislation enacted in the First Regular Session of the 127th Legislature is October 15, 2015. The effective date for legislation enacted as an emergency measure may be found in the enacted law summary for that legislation.

<u>Sponsor(s)</u>	<u>Committee Report</u>	<u>Amendments Adopted</u>
LUCHINI CYRWAY	OTP-AM	H-192

This bill provides that a person is ineligible for interment in the Maine Veterans' Memorial Cemetery System if that person has been proven to have committed a serious crime, such as murder, a sexual offense or any crime punishable by imprisonment for life. It also allows Department of Labor personnel to access veterans' military service records.

Committee Amendment "A" (H-192)

This amendment replaces section 1 of the bill with a new provision regarding who is ineligible for interment in the Maine Veterans' Memorial Cemetery System. The amendment specifies that a person is not eligible for interment if the person has been convicted of the crime of murder; a crime in another jurisdiction punishable by a sentence of life imprisonment or death; a crime under any other jurisdiction's sex offender laws requiring the person to register for life; a military, tribal or federal offense requiring registration pursuant to the federal Adam Walsh Child Protection and Safety Act of 2006, Public Law 109-248, 42 United States Code, Chapter 151; or a sexual offense requiring a person to register under Maine's sex offender registration acts for life, including a Class C crime under the Maine Revised Statutes, Title 17-A, section 853, subsection 1 or a Class A or Class B crime under:

1. Title 17-A, chapter 11;
2. Title 17-A, chapter 12; or
3. Title 17-A, section 301, subsection 1, paragraph A, subparagraph (3).

The amendment also specifies that a person is not eligible for interment if the person has been found to have committed any of the previously listed crimes but has not been convicted because the person has not been available for trial due to the person's death or flight to avoid prosecution. Any such finding may be based only upon a showing of clear and convincing evidence, after an opportunity for a hearing in a manner prescribed by the appropriate federal official.

Enacted Law Summary

Public Law 2015, chapter 175 adds a provision to the laws governing who is ineligible for interment in the Maine Veterans' Memorial Cemetery System. It specifies that a person is not eligible for interment if the person has been convicted of the crime of murder; a crime in another jurisdiction punishable by a sentence of life imprisonment or death; a crime under any other jurisdiction's sex offender laws requiring the person to register for life; a military, tribal or federal offense requiring registration pursuant to the federal Adam Walsh Child Protection and Safety Act of 2006, Public Law 109-248, 42 United States Code, Chapter 151; or a sexual offense requiring a person to register under Maine's sex offender registration acts for life, including a Class C crime under the Maine Revised Statutes, Title 17-A, section 853, subsection 1 or a Class A or Class B crime under:

1. Title 17-A, chapter 11;
2. Title 17-A, chapter 12; or
3. Title 17-A, section 301, subsection 1, paragraph A, subparagraph (3).

Chapter 175 also specifies that a person is not eligible for interment if the person has been found to have committed

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any of the previously listed crimes but has not been convicted because the person has not been available for trial due to the person's death or flight to avoid prosecution. Any such finding may be based only upon a showing of clear and convincing evidence, after an opportunity for a hearing in a manner prescribed by the appropriate federal official.

Finally, this law allows Department of Labor personnel to access veterans' military service records.

LD 719 An Act To Provide Fair Access To Maine Clean Election Act Funds ONTP

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

Under current law, candidates for the Legislature who are unenrolled in a political party have until the April 20th preceding a primary election to submit the required qualifying contributions and required documents in order to receive campaign financing under the Maine Clean Election Act. This bill pushes that date back to June 30th.

LD 720 An Act To Establish an Open Primary System in the State ONTP

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

This bill provides that the names of all candidates for Governor, United States Senator and Representative to Congress, including candidates enrolled in a party and unenrolled candidates, must appear on the same primary ballot. All voters, regardless of enrollment status, vote using identical ballots for candidates for these offices. Only the names of the two candidates who receive the most votes at the primary election for these offices appear on the ballot for the general election.

LD 721 Resolve, To Establish the Commission To Strengthen and Align the Services Provided to Maine's Veterans RESOLVE 48 EMERGENCY

<u>Sponsor(s)</u>	<u>Committee Report</u>	<u>Amendments Adopted</u>
GOLDEN COLLINS	OTP-AM	H-255 S-335 MASON

This resolve establishes the Commission To Strengthen and Align the Services Provided to Maine's Veterans, which must report by December 2, 2015 with its findings and recommendations and suggested legislation to the Joint Standing Committee on Veterans and Legal Affairs.

Committee Amendment "A" (H-255)

This amendment changes the membership of the Commission To Strengthen and Align the Services Provided to Maine's Veterans to better comply with study guidelines and assigns a more specific list of duties for the commission with regard to identifying insufficiency of services required for and provided to Maine veterans. The amendment also extends the commission's reporting date to the Joint Standing Committee on Veterans and Legal Affairs from December 2, 2015 to January 15, 2016 and states that staffing will be provided to the commission by the Office of Policy and Legal Analysis.

Senate Amendment "A" To Committee Amendment "A" (S-335)