

# MAINE STATE LEGISLATURE

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**STATE OF MAINE**  
127<sup>TH</sup> LEGISLATURE  
SECOND REGULAR SESSION



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

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

May 2016

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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* contains summaries of all LDs and adopted amendments and all laws enacted or finally passed during the Second Regular Session of the 127<sup>th</sup> 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.

*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 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 127<sup>th</sup> Legislature is July 29, 2016. 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

would be jointly liable with the committee and the committee treasurer for penalties assessed against the committee.

Finally, this law establishes a uniform threshold of \$50 for both political action committees and ballot question committees regarding reporting political contributions in campaign finance reports.

### **LD 1511 An Act To Allow Retailers To Return Promotional Alcoholic Beverages to Wholesalers** **ONTP**

<u>Sponsor(s)</u>	<u>Committee Report</u>	<u>Amendments Adopted</u>
HERBIG E THIBODEAU M	ONTP	

This bill changes the liquor laws to allow an off-premises retail licensee to return promotional alcoholic beverages to a licensed wholesaler.

### **LD 1520 An Act To Amend Maine's Military Bureau Laws** **ONTP**

<u>Sponsor(s)</u>	<u>Committee Report</u>	<u>Amendments Adopted</u>
HANINGTON S CYRWAY S	ONTP	

This bill adds the office of the state judge advocate to the definition of "criminal justice agency." It also amends the laws regarding rights and liabilities of state military forces members by providing members with immunity for the use of deadly force under certain conditions and by providing that Army National Guard and Air National Guard military police officers and security forces have certain rights of law enforcement officers.

### **LD 1524 An Act To Update the Laws Governing the Maine Veterans' Homes** **PUBLIC 397**

<u>Sponsor(s)</u>	<u>Committee Report</u>	<u>Amendments Adopted</u>
KATZ R	OTP OTP-AM	

This bill updates the laws governing the Maine Veterans' Homes and repeals outdated provisions. It removes references to specific veterans' home locations. It increases the borrowing authority of the Maine Veterans' Homes from \$15,000,000 to \$50,000,000. It repeals a requirement that the Maine Veterans' Homes develop and implement a geriatric training program. It changes the title of the position of the person who administers the homes from administrator to chief executive officer. It repeals a requirement relating to payment of costs by veterans admitted to the homes. It repeals a requirement that excess funds be transferred to the General Fund. It repeals a provision relating to the use of stipend funds. It makes changes to an annual reporting requirement. It also makes technical changes to provide consistent reference to the Maine Veterans' Homes.

#### **Committee Amendment "A" (S-368)**

This amendment, which is the minority report, maintains existing law that prescribes the number of beds at various Maine Veterans' Homes locations but strikes the provisions that establish the number of beds that certain facilities may not exceed. The amendment maintains the requirement that some facilities have a specific number of beds dedicated to dementia patients. The bill proposes to remove any specific requirements for the number of beds at any facility and for the location of the facilities, which have already been constructed.

This amendment was not adopted.

## Joint Standing Committee on Veterans and Legal Affairs

### Enacted Law Summary

Public Law 2015, chapter 397 updates the laws governing the Maine Veterans' Homes and repeals outdated provisions, including removing reference to specific veterans' home locations. It increases the borrowing authority of the Maine Veterans' Homes from \$15,000,000 to \$50,000,000. It repeals a requirement that the Maine Veterans' Homes develop and implement a geriatric training program and changes the title of the position of the person who administers the homes from administrator to chief executive officer. It repeals a requirement relating to payment of costs by veterans admitted to the homes. Chapter 397 repeals a requirement that excess funds be transferred to the General Fund and provisions relating to the use of stipend funds. Finally, this law makes changes to an annual reporting requirement.

#### LD 1539 An Act To Expand the Early Processing of Absentee Ballots

**PUBLIC 406  
EMERGENCY**

<u>Sponsor(s)</u>	<u>Committee Report</u>	<u>Amendments Adopted</u>
O'CONNOR B	OTP-AM	H-560

This bill provides that a municipality may opt to process absentee ballots as early as the fourth day before the election. It also authorizes the Secretary of State to make available high-speed tabulators for absentee ballots and to allow a municipality to bring absentee ballots to a central location for tabulating by the high-speed tabulators as long as security guidelines are properly followed.

#### Committee Amendment "A" (H-560)

This amendment provides that a municipality may opt to process absentee ballots on the third day prior to election day, unlike the bill, which permits absentee ballot processing on the third and fourth days. The amendment clarifies that any person may request an opportunity to inspect ballots subject to early processing if that person provides notice by 9:00 a.m. on the day the ballots will be processed. This amendment strikes the portion of the bill that allows municipalities to use a high-speed tabulator at a central location for counting absentee ballots.

Finally, this amendment adds an emergency preamble and emergency clause to the bill.

### Enacted Law Summary

Public Law 2015, chapter 406 provides that a municipality may opt to process absentee ballots on the third day prior to election day. It also clarifies that any person may request an opportunity to inspect ballots subject to early processing if that person provides notice by 9:00 a.m. on the day the ballots will be processed.

Public Law 2015, chapter 406 was enacted as an emergency measure effective March 24, 2016.

#### LD 1557 An Act To Establish Ranked-choice Voting

**INDEF PP**

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

This bill was not referred to committee.

This initiated bill provides for the establishment of ranked-choice voting for the offices of United States Senator, United States Representative to Congress, Governor, State Senator and State Representative for elections held on or after January 1, 2018. Ranked-choice voting is a method of casting and tabulating votes in which voters rank