

MAINE STATE LEGISLATURE

The following document is provided by the
LAW AND LEGISLATIVE DIGITAL LIBRARY
at the Maine State Law and Legislative Reference Library
<http://legislature.maine.gov/lawlib>



Reproduced from electronic originals
(may include minor formatting differences from printed original)

STATE OF MAINE
127TH 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

STAFF:

DANIELLE FOX, LEGISLATIVE ANALYST
DANIEL TARTAKOFF, LEGISLATIVE ANALYST
OFFICE OF POLICY AND LEGAL ANALYSIS
13 STATE HOUSE STATION
AUGUSTA, ME 04333
(207) 287-1670
<http://legislature.maine.gov/legis/opla>

MEMBERS:

SEN. SCOTT W. CYRWAY, CHAIR
SEN. RONALD F. COLLINS
SEN. JOHN L. PATRICK

REP. LOUIS J. LUCHINI, CHAIR
REP. THOMAS R. W. LONGSTAFF
REP. ROBERT J. SAUCIER
REP. JOHN C. SCHNECK
REP. KIMBERLY J. MONAGHAN
REP. JARED F. GOLDEN
REP. JONATHAN L. KINNEY
REP. BETH P. TURNER
REP. KATHLEEN R. J. DILLINGHAM
REP. SHELDON MARK HANINGTON
REP. HENRY JOHN BEAR

STATE OF MAINE

127TH LEGISLATURE

SECOND REGULAR SESSION



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 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.

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 127th 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

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

Joint Standing Committee on Veterans and Legal Affairs

candidates in order of preference, tabulation proceeds in rounds in which last-place candidates are defeated and the candidate with the most votes in the final round is elected.

LD 1574 An Act To Protect Maine Voters from Intimidating Video Recording at the Polls

PUBLIC 422

<u>Sponsor(s)</u>	<u>Committee Report</u>	<u>Amendments Adopted</u>
DIAMOND G VEROW A	OTP-AM ONTP	S-366 S-431 DIAMOND G

This bill provides that videotaping in the voting place must be located outside the guardrail enclosure a minimum of 15 feet away from a voter being videotaped, including a voter at a location where a person is collecting voters' signatures.

Committee Amendment "A" (S-366)

This amendment, which is the majority report of the committee, replaces the term "videotaping" with "video recording." It also clarifies that video recording a voter in violation of the 15-foot buffer established by the bill may result in the person's being removed from the voting place at the direction of the warden.

Senate Amendment "A" To Committee Amendment "A" (S-431)

The bill, as amended by Committee Amendment "A," authorizes the warden to remove from the voting place a person who is video recording closer than 15 feet from a voter being recorded. This amendment instead provides that it is the municipal clerk, at the recommendation of the warden, who is authorized to remove such a person.

Enacted Law Summary

Public Law 2015, chapter 422 provides that video recording in the voting place must be located outside the guardrail enclosure a minimum of 15 feet away from a voter being video recorded, including a voter at a location where a person is collecting voters' signatures. Recording a voter in violation of the 15-foot buffer may result in the person being removed from the voting place by a municipal clerk at the recommendation of the warden.

LD 1610 An Act To Clarify the Laws Governing Certain Benefits Provided to Veterans and Military Service Members

Died On
Adjournment

<u>Sponsor(s)</u>	<u>Committee Report</u>	<u>Amendments Adopted</u>
	OTP-AM	H-583

This bill was reported by the committee pursuant to Resolve 2015, chapter 19 and then referred back to the committee for processing in the normal course.

This bill implements the recommendations of a subcommittee established to streamline the criteria for the delivery and administration of state-established services and benefits to veterans and military service members in the State. The bill repeals the definition of "wartime veteran" with regard to small business loans administered by the Finance Authority of Maine. It provides an alternative to license plates as a method of showing eligibility for free day-use admission to state parks by disabled veterans by directing the Secretary of State to provide for a sticker to be placed on the veteran's driver's license or state identification card. The bill also provides that a person with a veterans registration plate that is also a vanity plate is not required to pay the annual service fee for the vanity plate after an initial \$25 fee is paid. The bill clarifies references to veterans and military service members in the law governing the application of veteran preferences for rental housing administered through municipal housing authorities. Finally, the bill codifies in statute a provision currently in rule that requires the Adjutant General to issue an annual