

MAINE STATE LEGISLATURE

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STATE OF MAINE
128TH LEGISLATURE
FIRST REGULAR SESSION



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

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

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STATE OF MAINE

128TH LEGISLATURE
FIRST 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 First Regular Session of the 128th 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 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 128th Legislature is Wednesday, November 1, 2017. 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

LD 31 RESOLUTION, Proposing an Amendment to the Constitution of Maine CARRIED OVER
To Require That Signatures on a Direct Initiative of Legislation Come
from Each Congressional District

<u>Sponsor(s)</u>	<u>Committee Report</u>	<u>Amendments Adopted</u>
ESPLING E DIAMOND B		

This resolution proposes to amend the Constitution of Maine to require that the signatures on a petition to directly initiate legislation be of voters from each of the State's two congressional districts and that the number of signatures from each congressional district be not less than 10% of the total vote for Governor cast in that congressional district in the previous gubernatorial election. This resolution provides that, if the required votes are cast in favor of the proposed amendment to the Constitution, the proposed amendment becomes part of the Constitution on March 1, 2018 instead of on the date of the Governor's proclamation.

This Resolution was reported out of committee and then recommitted to the committee; it was then carried over to any special or regular session of the 128th Legislature by joint order, H.P. 1138.

LD 53 RESOLUTION, Proposing an Amendment to the Constitution of Maine Died Between
To Prohibit Payment Per Signature for Citizen Petition Drives Houses

<u>Sponsor(s)</u>	<u>Committee Report</u>	<u>Amendments Adopted</u>
GUERIN S MAKER J	OTP-AM ONTP	

This resolution proposes to amend the Constitution of Maine to prohibit a person who collects signatures for a written petition for a people's veto or for the direct initiative of legislation from being paid based upon the number of signatures the person collects.

Committee Amendment "A" (H-436)

This amendment, the majority report, replaces the resolution proposing an amendment to the Constitution of Maine. The amendment instead amends the statutes governing ballot questions to prohibit the circulator of an initiative or referendum petition or a petition organization from receiving payment for the collection of signatures based on the number of signatures collected. The amendment clarifies that a salary or fee for the collection of signatures is not prohibited if it is not based on the number of signatures collected.

This amendment was not adopted.

LD 78 An Act To Permit Unenrolled Voters To Cast Ballots in Primary Accepted Majority
Elections (ONTP) Report

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

This bill allows an unenrolled voter to vote in a primary election without having to enroll in a political party. An unenrolled voter may vote in only one party's primary election.

Joint Standing Committee on Veterans and Legal Affairs

Committee Amendment "A" (H-155)

This amendment, which is the minority report of the committee, provides that the Secretary of State, rather than municipal clerks, is required to establish procedures for voters who are not enrolled in a party to vote in a primary election. The bill removes the requirement that a voter must be enrolled in a party to participate in a caucus or convention. This amendment provides that a voter must be enrolled in order to take part in a party's caucus or convention. The amendment also adds an appropriations and allocations section.

This amendment was not adopted.

LD 85 An Act Regarding Public Service Berthing Vessels Licensed for the Sale of Liquor CARRIED OVER

<u>Sponsor(s)</u>	<u>Committee Report</u>	<u>Amendments Adopted</u>
MIRAMANT D KUMIEGA W	OTP-AM	S-11

This bill authorizes the Department of Administrative and Financial Services, Bureau of Alcoholic Beverages and Lottery Operations to issue licenses to public service berthing vessels for the sale of spirits, wine and malt liquor on overnight voyages of at least one night. The bill establishes requirements and fees for such licensing.

Committee Amendment "A" (S-11)

This amendment replaces the bill. Like the bill, the amendment provides for a definition of public service berthing vessel. Unlike the bill, the amendment does not establish a separate license for a public service berthing vessel but rather makes the vessel eligible for a Class V liquor license that permits the sale of spirits, wine and malt liquor to passengers of the vessel. It also provides that the license may be issued for a single event or voyage. Like the bill, the amendment requires that the vessel acquire municipal approval to sell liquor on board the vessel to passengers while the vessel is docked. The amendment also makes a provision for storage of liquor to be sold by the licensed vessel and requires that records be maintained for each event when the licensed vessel sells liquor to passengers.

This bill was reported out of committee and then carried over to the next special or regular session of the 128th Legislature on the Special Appropriations Table by joint order, S.P. 601.

LD 88 An Act To Delay the Implementation of Certain Portions of the Marijuana Legalization Act PUBLIC 1 EMERGENCY

<u>Sponsor(s)</u>	<u>Committee Report</u>	<u>Amendments Adopted</u>
LUCHINI L THIBODEAU M	OTP-AM	H-1

This bill delays the effective date of most of the provisions of the Marijuana Legalization Act as enacted by citizen initiative to February 1, 2018. The delayed effective date does not apply to the provision in the initiated bill that repeals the Maine Revised Statutes, Title 22, section 2382, subsection 1, which makes possession of up to 2 1/2 ounces of marijuana a civil violation, or the following provisions, which will be effective as of January 30, 2017:

1. A person 21 years of age or older may use, possess or transport up to 2 1/2 ounces of marijuana;
2. A person 21 years of age or older may transfer, without remuneration, up to 2 1/2 ounces of marijuana and up to six immature plants or seedlings to a person who is 21 years of age or older;