

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
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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 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

allows the Commissioner of Agriculture, Conservation and Forestry to delegate rule-making authority to the Commissioner of Administrative and Financial Services or the Commissioner of Public Safety if the Commissioner of Agriculture, Conservation and Forestry determines that the expertise and resources of those other departments would be beneficial in the development of the rules.

Chapter 1 also provides that possession of marijuana is a civil violation for a person who is 18, 19 or 20 years of age. The penalty for possession of up to 1 1/4 ounces of marijuana is a fine no less than \$350 to no more than \$600. The penalty for possession of up to 2 1/2 ounces is a fine of no less than \$700 and no more than \$1,000. These penalties are the same as those that were in law for any nonjuvenile prior to being repealed by Initiated Bill 2015, chapter 5. Finally, this law provides that it is a crime under the Maine Juvenile Code for a person under 18 years of age to possess marijuana and makes a corresponding technical cross-reference change.

Public Law 2017, chapter 1 was enacted as an emergency measure effective January 27, 2017.

LD 121 An Act To Require Photographic Identification to Vote

**Accepted Majority
(ONTP) Report**

<u>Sponsor(s)</u>	<u>Committee Report</u>	<u>Amendments Adopted</u>
FARRIN B COLLINS R	ONTP OTP-AM	

This bill requires that a voter provide proof of identity with photographic identification for the purpose of voting. The bill specifies the types of photographic identification that may be used to verify the identity of a voter. It provides that a person who does not present photographic identification may cast a provisional ballot and establishes the process for provisional voting. Under this process, if the person can verify the person's identity to the municipal clerk, deputy clerk or warden or an election clerk within five business days of the election by presenting acceptable photographic identification, the ballot will be cast as a regular ballot. Through the general election of 2018, a person who does not present acceptable photographic identification but is known to a municipal clerk, registrar or election official at the voting place may cast a regular ballot upon submission of an affidavit by the municipal clerk, registrar or election official attesting to the person's identity. Finally, the bill requires the Secretary of State to provide, at no fee, nondriver identification cards to eligible persons who do not have another form of acceptable photographic identification to verify identity for the purpose of voting.

Committee Amendment "A" (H-51)

Under the bill, a person who does not have proper photographic identification required to cast a ballot on election day has five days to provide photographic proof of identity to the municipal clerk, deputy clerk, warden or election clerk. This amendment, which is the minority report of the committee, reduces that time period to three days to reflect the number of days by which municipal election clerks must report election results to the Secretary of State. The amendment also adds a requirement that provisional ballots must be retained in tamper-proof containers separately from provisional ballot affidavits and the provisional ballot log. The amendment requires that rejected provisional ballots, provisional ballot logs and provisional ballot affidavits must be retained in the same manner as regular ballots and election materials. The amendment also adds a mandate preamble and an appropriations and allocations section.

This amendment was not adopted.