

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
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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

LD 271 An Act for Providers across Multiple Sectors To Inquire of Clients and Customers about Former Military Service

Accepted Majority (ONTP) Report

<u>Sponsor(s)</u>	<u>Committee Report</u>	<u>Amendments Adopted</u>
SHEATS B CARSON B	ONTP OTP-AM	

This bill is a concept draft pursuant to Joint Rule 208.

This bill proposes that the Department of Health and Human Services conduct an effort similar to the effort conducted by the New Hampshire Department of Health and Human Services to coordinate public and private service providers in the areas of aging and senior services, children's services and school systems, employment and vocational services, faith-based groups and health care and medical services to inquire about former military service of clients and customers to identify veterans and direct them and their families to resources and benefits of which the veterans may not be aware or are reluctant to receive.

Committee Amendment "A" (H-406)

This amendment, the majority report, replaces the bill. It requires the Director of the Bureau of Maine Veterans' Services within the Department of Defense, Veterans and Emergency Management to establish a program to support a community-based veteran service referral program. The program provides written and Internet-based materials and literature to state agencies, quasi-governmental agencies, local government service providers and private organizations, including a checklist of questions the service provider should ask an individual seeking assistance, including, "Have you or a member of your family ever served in the military?" The materials must also include a comprehensive list of services for which a veteran may be eligible.

This amendment was not adopted.

LD 295 An Act To Amend the Requirements for a Political Party To Retain Qualified Party Status under the Election Laws

ONTP

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

This bill amends the requirements for a political party to retain qualified party status. It allows a party to retain that status if the party's nominee for President of the United States or Governor received at least 5% of the total vote cast in the State for President or Governor in the last general election. This provision applies to any party whose nominee for President appeared on the ballot at the general election on November 8, 2016.

LD 296 An Act To Restrict Advertising of and Improve Fairness for State Lottery Games

ONTP

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

This bill requires prizes for state lotteries to have an annual aggregate payback of 90% of gross revenues or greater. The bill also states that rules adopted by the State Liquor and Lottery Commission must prohibit marketing, advertising and promotion of state lotteries except at locations where lottery tickets are sold. Finally, the bill

Joint Standing Committee on Veterans and Legal Affairs

requires the commission to adopt rules governing payback percentages and advertising no later than December 1, 2017.

LD 297 An Act To Improve the Administration of Election Recounts

PUBLIC 141

<u>Sponsor(s)</u>	<u>Committee Report</u>	<u>Amendments Adopted</u>
LUCHINI L CARPENTER M	OTP-AM	H-156

This bill is a concept draft pursuant to Joint Rule 208.

This bill proposes to amend current law to authorize the Secretary of State to administer recounts in an efficient and effective manner, to increase the number of voter signatures required for a statewide recount, to lower the threshold for a free statewide recount and to authorize the Secretary of State to develop by rule processes for multicounty and statewide recounts.

Committee Amendment "A" (H-156)

This amendment replaces the bill. The amendment makes several changes to the laws governing candidate and referendum recounts.

1. The amendment provides that when a recount is requested for a statewide office, congressional office, statewide referendum or county office that encompasses more than one county, the Secretary of State may direct the State Police to retrieve ballots from certain jurisdictions so that the recount may be conducted in stages.
2. The amendment provides for a new deposit and payment structure for recounts for statewide offices, congressional offices or county offices that encompass more than one county, such as District Attorney, so that a deposit is not required when the difference between the leading candidate and the requesting candidate is 1% or less of the total votes cast for that office or not more than 1,000 votes, whichever is less.
3. The amendment provides that for recounts for a statewide office, congressional office or county office that encompasses more than one county when the percentage difference exceeds the threshold for a no-deposit recount, the requesting candidate must pay a deposit of \$5,000 or 10% of the estimated cost of the first stage of the recount, whichever is greater. If the recount does not change the result of the election, the candidate must pay the actual costs to the State of conducting the recount. If the recount reverses the election, the requesting candidate receives a complete refund.
4. The amendment adopts a new deposit and payment structure for recounts of a statewide referendum that is the same as the one provided for statewide candidate recounts.
5. The amendment provides that if recounts are requested for more than one office or referendum question that are on the same ballot for one or more jurisdictions, the Secretary of State may determine a process for counting the ballots for both of the offices or questions simultaneously.
6. Finally, the amendment removes the provision in current law allowing an undeclared write-in candidate to request a recount.

Enacted Law Summary

Public Law 2017, chapter 141 makes several changes to the laws governing candidate and referendum recounts.

1. It provides that when a recount is requested for a statewide office, congressional office, statewide referendum or county office that encompasses more than one county, the Secretary of State may direct the State Police to retrieve