

# MAINE STATE LEGISLATURE

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**STATE OF MAINE**  
128<sup>TH</sup> 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

128<sup>TH</sup> 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 128<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 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 128<sup>th</sup> 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*

Public Law 2017, chapter 301 clarifies the definition of "low-alcohol spirits product" and the definition of "spirits" to exclude additives and flavorings, such as extracts and concentrates, that may contain alcohol but are not intended to be consumed alone but serve as a flavor enhancement to food products or beverages. This law also specifies that the changes made by this legislation are not intended to affect the taxation of such products prior to July 1, 2019.

**LD 795      An Act To Improve Voter Access to Information Regarding Referendum Questions on the Ballot      PUBLIC 246**

<u>Sponsor(s)</u>	<u>Committee Report</u>	<u>Amendments Adopted</u>
TIMBERLAKE J	OTP-AM	H-404

This bill requires the full text of a direct initiative to be printed on the ballot.

**Committee Amendment "A" (H-404)**

This amendment replaces the bill and changes the title. The amendment requires the election clerk to post a conspicuous notice in the voting place indicating that the citizen's guide to the referendum election is available for voters to read and that it provides helpful information regarding the referendum questions on the ballot.

**Enacted Law Summary**

Public Law 2017, chapter 246 amends the laws governing the conduct of elections by requiring the election clerk to post a conspicuous notice in the voting place indicating that the citizen's guide to the referendum election is available for voters to read and that it provides helpful information regarding the referendum questions on the ballot.

**LD 796      RESOLUTION, Proposing an Amendment to the Constitution of Maine Regarding Referendum Questions for Statewide Ballots      ONTP**

<u>Sponsor(s)</u>	<u>Committee Report</u>	<u>Amendments Adopted</u>
STEWART H LANGLEY B	ONTP	

This resolution proposes to amend the Constitution of Maine to require the total number of signatures required for a direct initiative of legislation to be not less than 10% of the total vote for Governor cast in each county in the last gubernatorial election. It also requires each of the signatures from a county to be that of a person registered to vote in that county.

**LD 813      An Act To Amend the Laws Governing the Political Party Representation of Election Clerks      Died Between Houses**

<u>Sponsor(s)</u>	<u>Committee Report</u>	<u>Amendments Adopted</u>
GRATWICK G DENNO D	OTP-AM ONTP	

This bill requires election clerks in a municipality to be selected so that 33% of clerks are from one major party and 33% from another, with 34% of clerks being selected without regard to party enrollment.

**Committee Amendment "A" (S-139)**

This amendment, the majority report, strikes and replaces the bill, which requires election clerks in a

**Joint Standing Committee on Veterans and Legal Affairs**

municipality to be selected so that 33% of clerks were from one major party, 33% from another major party and 34% selected without regard to party enrollment. This amendment amends the process for selection of election clerks and clarifies other provisions regarding election clerks.

Specifically, the amendment retains the provision in current law allowing parties to nominate election clerks but also allows the municipal clerk or any registered voter to make nominations. Like current law, the amendment directs timely consideration of nominations but does not require municipal officers to appoint the election clerks from among nominees but allows them to appoint any qualified voter. Under the amendment, the minimum requirement is two election clerks at each voting place, one each from the two major parties. Similar to the bill, the amendment requires that at least half of the election clerks working at any election are affiliated with the major parties, and the rest of the election clerks may be affiliated with a minor party or be unenrolled.

The amendment also provides that if the municipal officers do not appoint a sufficient number of election clerks representing the major parties or an insufficient number of appointees are available to serve from the list provided by municipal officers, the municipal clerk may appoint additional election clerks without regard to party enrollment status.

This amendment was not adopted.

**LD 819      Resolve, To Establish the Commission To Study the Adequacy of      ONTP**  
**Housing Safety Laws**

<u>Sponsor(s)</u>	<u>Committee Report</u>	<u>Amendments Adopted</u>
LIBBY N GOLDEN J	ONTP	

This resolve establishes the Commission To Study the Adequacy of Housing Safety Laws. The commission is charged with studying the housing safety laws, including landlord and tenant relations and rights, the eviction process, bank foreclosure actions on abandoned property and rental housing fire safety issues, and making recommendations for any necessary changes. The commission is required to submit a report containing its findings and recommendations to the Joint Standing Committee on Veterans and Legal Affairs by December 6, 2017.

**LD 833      An Act To Streamline the Gaming Permit Process for Veterans'      ONTP**  
**Organizations**

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

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

This bill proposes to reduce the processing and paperwork associated with games of chance sponsored by American Legion Posts. Under current law and rules, in order for an American Legion Post to hold a bingo game, it is necessary to obtain up to three separate permits. Under this bill, the application for permits would be consolidated into one application, and the processing would be streamlined.