

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.

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purpose of selecting two candidates to be placed on the general election ballot for the offices of United States Senator, Representative to Congress, Governor, State Senator and Representative to the Legislature. Primary candidates placed on the general election ballot for an office are the two candidates who received the highest number of votes. The bill provides that voters may participate in a primary election for these offices regardless of party enrollment. The amendment adds provisions inadvertently omitted from the bill that are consistent with the proposal to establish a nonpartisan primary election for state and federal offices. The amendment also adds an appropriations and allocations section to the bill.

This amendment was not adopted.

LD 1102 An Act To Discourage Tenants from Damaging Rental Property ONTP

<u>Sponsor(s)</u>	<u>Committee Report</u>	<u>Amendments Adopted</u>
WADSWORTH N CUSHING A	ONTP	

This bill creates the Class E crime of unlawful damage by a tenant if at the termination of a tenancy a rental unit has sustained over \$1,000 worth of damage over the amount of the security deposit and the tenant does not pay the landlord within 60 days' notice by the landlord of the damage. A 2nd or subsequent offense is a Class D crime.

LD 1103 An Act To Require Correction of False Information Distributed in a Campaign ONTP

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

This bill requires the Commission on Governmental Ethics and Election Practices, upon complaint made by a candidate for Governor, State Senate or State House of Representatives, to investigate an allegation that a person distributed factually incorrect information about that candidate. If the commission determines that a person distributed factually incorrect information about a candidate, the commission must impose a fine of \$10,000 on that person and that person must distribute a correction of the factually incorrect information in the same manner as the factually incorrect information was distributed.

LD 1107 An Act To Allow Municipalities To Adjust Times of Operation for Establishments That Serve Alcohol Died Between Houses

<u>Sponsor(s)</u>	<u>Committee Report</u>	<u>Amendments Adopted</u>
PARRY W DION M	OTP-AM ONTP	

This bill allows a municipality to extend the time for the sale or delivery of liquor by licensed establishments by one hour, by either opening earlier than 5 a.m. or closing later than 1 a.m., within that municipality. This bill also allows a municipality to extend by one hour, to 2:15 a.m., the permitted consumption or possession of liquor in licensed establishments. In order to extend the time of operation, consumption or possession, the legislative body of that municipality must vote to extend by one hour the sale or consumption or possession of liquor at establishments licensed for on-premises consumption within the municipality; the municipality must have a full-time police department or contract with the county sheriff or State Police to provide coverage during the extended hour of operation; and the municipality must notify the Department of Administrative and Financial Services, Bureau of

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Alcoholic Beverages and Lottery Operations of the extended hour within 30 days of adoption.

Committee Amendment "A" (H-266)

This amendment, which is the majority report, makes technical changes to the bill to clarify that an on-premises licensee may sell liquor until 2 a.m. if the municipality in which the licensee is located approves liquor sales until 2 a.m.

**LD 1122 An Act To Amend the Campaign Reports and Finances Law and the
Maine Clean Election Act**

Veto Sustained

<u>Sponsor(s)</u>	<u>Committee Report</u>	<u>Amendments Adopted</u>
	OTP-AM OTP-AM	H-367

The bill amends the laws governing the financing of political campaigns and the Commission on Governmental Ethics and Election Practices by:

1. Clarifying that the definition of "election" covers both candidate and ballot question elections;
2. Requiring the commission to submit an annual statistical report of campaign finance activity to the joint standing committee of the Legislature having jurisdiction over legal affairs;
3. Amending the requirement for state party committees to provide names, mailing addresses and e-mail addresses of the chair and treasurer for municipal, district and county party committees to the commission;
4. Eliminating the requirement for unopposed primary election candidates to report contributions and expenditures of \$1,000 or more within 24 hours during the last 13 days before the primary election;
5. Requiring candidates to disclose the addresses of payees and creditors in their campaign finance reports;
6. Permitting candidates to spend surplus campaign contributions on expenses associated with a recount of an election;
7. Clarifying the reporting deadlines for state party committees, political action committees and ballot question committees. Under the bill, quarterly campaign finance reports are due every year; committees must file preelection and post-election reports on the 11th day before and the 42nd day after an election for both the primary and general elections during a candidate election year; and for elections held in other years, committees must file the preelection and post-election reports only if they received contributions or made expenditures for the purpose of influencing the election;
8. Clarifying that municipal, district and county party committees are not required to report large contributions and expenditures within 24 hours during the last 13 days before a primary election;
9. Increasing the potential penalty for an individual's failure to register as a candidate with the commission from \$10 to \$100;
10. Defining "caucus political action committee" to mean a committee designated by a party leader in the Legislature to promote the election of the nominees of their political party to the House or Senate;
11. Eliminating the requirement for candidates to report money order fees paid by the candidate with personal funds when seeking Maine Clean Election Act funding; and