

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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8. It moves the filing deadline for municipal nomination petitions from the 45th day to the 70th day prior to the election.

Committee Amendment "A" (S-169)

This amendment strikes the provisions of the bill that remove the requirement to print a space on state ballots for undeclared write-in candidates. It also strikes the provision in the bill that removes the option for a party to determine who may participate in the party's primary. The bill prohibits a voter from changing enrollment or withdrawing enrollment in a party on election day. The amendment provides that a voter may change or withdraw enrollment on election day, but the application to do so is not deemed received until the next business day. The amendment specifies that a municipality may charge a rental fee or janitorial service fee when the municipality provides space for a local caucus to meet. The amendment strikes a provision governing notarial acts related to petitions for a direct initiative of legislation and a people's veto referendum. Finally, the amendment provides that the deadline for filing municipal nomination papers is the 60th day prior to the election, rather than the 70th day prior to the election that is proposed in the bill.

Enacted Law Summary

Public Law 2017, chapter 248 makes several changes to the laws governing elections. It provides that a voter may change or withdraw enrollment on election day, but the application to do so is not deemed received until the next business day. It specifies that a municipality may charge a rental fee or janitorial service fee when the municipality provides space for a local caucus to meet. Chapter 248 changes the deadline for filing municipal nomination papers from the 45th day prior to the election to the 60th day prior to the election. It corrects an omission in the districts for the Knox County budget committee. Finally, this law clarifies the types of licensed facilities at which municipal clerks are required to conduct absentee voting for the residents prior to an election.

LD 1397

An Act To Amend the Maine Clean Election Act and Related Laws

ONTP

Sponsor(s)

STETKIS J
VOLK A

Committee Report

ONTP

Amendments Adopted

This bill makes the following changes to the Maine Clean Election Act and other related laws.

1. It changes references to the Maine Clean Election Act to the Maine Publicly Financed Election Act and removes specific references to the Maine Clean Election Fund.
2. It changes the tax revenue amounts required to be deposited in the fund by the State Controller from \$3,000,000 to \$2,000,000.
3. It limits participation in the Maine Publicly Financed Election Act to first-time candidates for Governor, State Senator or State Representative and provides that seed money for participating candidates running for State Senator or State Representative may come only from the participating candidate's district. It also revises seed money contribution limits for legislative candidates and eliminates the provision allowing participating candidates to collect additional qualifying contributions.
4. It changes funding distributions under the Maine Publicly Financed Election Act to require the Commission on Governmental Ethics and Election Practices to determine the funding amounts for legislative candidates at least every two years and sets a specific distribution for gubernatorial elections. It also eliminates supplemental fund distributions.
5. It removes a provision requiring that communications that are independent expenditures include a conspicuous

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statement listing the top three funders of the entity making the independent expenditure. It also specifies that reports of independent expenditures aggregating in excess of \$250 during any one candidate's election are required to be filed only by party committees, political committees and political action committees.

6. It removes a provision requiring the joint standing committee of the Legislature having jurisdiction over taxation matters to report out legislation to eliminate corporate tax expenditures totaling \$6,000,000 per biennium.

LD 1411 RESOLUTION, Proposing an Amendment to the Constitution of Maine ONTP
To Limit Petitions for Direct Initiatives That Would Violate the
Constitution of Maine

<u>Sponsor(s)</u>	<u>Committee Report</u>	<u>Amendments Adopted</u>
BRAKEY E	ONTP	

This resolution proposes to amend the Constitution of Maine to allow the Governor, Attorney General, Legislature by a 1/3 vote of both Houses or at least 500 electors by petition filed in the office of the Secretary of State to request an opinion of the Justices of the Supreme Judicial Court on whether a bill, resolve or resolution proposed by electors to the Legislature would, if passed and implemented, violate the Constitution of Maine in any manner, including, but not limited to, the restriction or abridgement of the rights of citizens expressly declared in the Constitution of Maine. The Secretary of State must reject a petition if a majority of the Justices of the Supreme Judicial Court determines that the bill, resolve or resolution proposed by electors would, if passed and implemented, violate the Constitution of Maine.

LD 1422 An Act To Require Presidential and Vice-Presidential Candidates To Accepted Majority
Disclose Their Federal Income Tax Returns (ONTP) Report

<u>Sponsor(s)</u>	<u>Committee Report</u>	<u>Amendments Adopted</u>
BERRY S BELLOWS S	ONTP OTP-AM	

This bill requires that, in order for a candidate for President or a candidate for Vice President to appear on a general election ballot, the candidate for President or the candidate for Vice President must disclose the previous five years of that candidate's federal income tax returns, which may be redacted to remove personally identifying information other than the candidate's name. It directs the Secretary of State to post the tax returns on the Secretary of State's website and to include in the secretary's report regarding presidential primaries pursuant to Public Law 2015, chapter 474, section 5 suggested legislation requiring primary candidates to disclose federal income tax returns.

Committee Amendment "A" (H-269)

This amendment, the minority report, provides that a candidate for President or Vice President must disclose the previous three years of tax returns to appear on the general election ballot; the bill requires tax returns from the previous five years.

This amendment was not adopted.