

MAINE STATE LEGISLATURE

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STATE OF MAINE
128TH LEGISLATURE
FIRST SPECIAL, SECOND REGULAR AND SECOND SPECIAL SESSIONS



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

FIRST SPECIAL, SECOND REGULAR AND SECOND SPECIAL SESSIONS



LEGISLATIVE DIGEST OF BILL SUMMARIES AND ENACTED LAWS

This *Legislative Digest of Bill Summaries and Enacted Laws* contain summaries of all LDs and adopted amendments and all laws enacted or finally passed during the First Special, Second Regular and Second Special Sessions 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 dates for non-emergency legislation enacted in the First Special, Second Regular or Second Special Sessions of the 128th Legislature are: Monday, February 5, 2018; Wednesday, August 1, 2018; and Thursday, December 13, 2018, respectively. 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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the amendment makes changes to the deadlines governing submission of municipal official candidate nomination papers, municipal official candidate withdrawals and petitions for local option elections on the sale of liquor. These deadline changes make those provisions consistent with other deadlines enacted for similar submissions under Public Law 2017, chapter 248.

Committee Amendment "B" (H-684)

This amendment, which is the minority report of the committee, removes the provision in the bill that repeals the laws governing political activities at the voting place and instead amends those laws. The amendment limits to one person the number of people who may attend a voting place on behalf of a candidate to communicate with voters in the manner permitted under existing law. It provides that a person collecting signatures must do so outside of the voting place unless there is a separate room on the premises of the voting place that is not accessible from the area where voting occurs. It limits the number of signature collectors on any one measure, issue or candidate to two and states that no more than two persons who oppose that measure, issue or candidate for which signatures are being collected may be afforded access to the area. It limits the total number of measures, issues or candidates for which signatures may be collected to five.

The amendment removes a provision in the bill that permits the deposit of absentee ballots into a secured drop box accessible only by the municipal election clerk. It also removes a section in the bill that makes changes to the laws governing when a notary public or other person authorized to administer oaths is prohibited from administering an oath on a petition for a direct initiative of legislation or people's veto referendum and replaces it with a new section. The new section provides that a notary public or other person authorized by law to administer oaths is not authorized to administer an oath for a direct initiative of legislation or people's veto referendum petition if that person has provided services to initiate the measure or promote that direct initiative of legislation or people's veto referendum. Finally, the amendment makes changes to the deadlines governing submission of municipal official candidate nomination papers, municipal candidate withdrawals and petitions for local option votes on the sale of liquor. These deadline changes make those provisions consistent with other deadlines enacted for similar submissions under Public Law 2017, chapter 248.

The fiscal note on the amendment identifies a requirement that municipal election clerks provide informational materials to petition circulators describing the laws governing the solicitation of signatures at the voting place as a potential mandate. This requirement does not necessarily require the development of new materials, as a copy of relevant statutory sections governing solicitation of signatures at the voting place sufficiently satisfies the requirement. A municipality may choose to provide informational materials of the municipality's own creation but that is an optional method of compliance. Thus, the members of the committee on this report find that the provisions identified as a potential mandate do not necessitate additional expenditures from local revenue.

LD 1736

An Act To Broaden Educational Opportunities to Members of the Maine National Guard and Provide Financial Assistance to Veterans

PUBLIC 419

<u>Sponsor(s)</u>	<u>Committee Report</u>	<u>Amendments Adopted</u>
THIBODEAU M POULIOT M	OTP-AM	S-445 H-748 LUCHINI L H-743 FARRIN B

This bill was carried over on the Special Appropriations Table from the Second Regular Session to the next special session by joint order S.P. 748.

This bill broadens the tuition benefit program that is available to members of the Maine National Guard who attend a state postsecondary education institution to provide a tuition benefit for members who attend a private nonprofit

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postsecondary education institution in the State. The bill limits the tuition benefit at private nonprofit postsecondary education institutions to the tuition at the Maine Maritime Academy during the prior academic year.

Committee Amendment "A" (S-445)

This amendment replaces the bill. It repeals the provision in current law that allows the Department of Defense, Veterans and Emergency Management, Bureau of Maine Veterans' Services to provide veterans with temporary and emergency assistance and instead establishes the Veterans Temporary Assistance Fund and prescribes the purposes for which it may be used within the bureau. The amendment also provides ongoing funding for the Veterans Temporary Assistance Fund and the Maine National Guard Postsecondary Fund from the Liquor Operation Revenue Fund.

Like the bill, the amendment expands the Maine National Guard Education Assistance Program to include private nonprofit postsecondary education institutions as institutions where members of the Maine National Guard may receive a tuition benefit. It amends the definition of "state postsecondary education institution," which includes the University of Maine System, the Maine Maritime Academy and the Maine Community College System, to add private nonprofit postsecondary education institutions in the State that have registered with the Military Bureau. The amendment requires that private nonprofit postsecondary education institutions must register with the Military Bureau in order to take part in the Maine National Guard Education Assistance Program. In the amendment, the tuition benefit provided by a private nonprofit postsecondary education institution may not exceed the in-state tuition at the University of Maine at Orono for the previous academic year. The amendment also adds an appropriations and allocations section.

House Amendment "B" To Committee Amendment "A" (H-748)

This amendment removes the Liquor Operation Revenue Fund as the source of funding of the Veterans Temporary Assistance Fund and the Maine National Guard Postsecondary Fund. Instead, this amendment provides funding from the General Fund.

House Amendment "A" To Committee Amendment "A" (H-743)

This amendment includes the Maine Criminal Justice Academy in the list of institutions where members of the Maine National Guard may receive a tuition benefit.

Enacted Law Summary

Public Law 2017, chapter 419 repeals the provision in current law that allows the Department of Defense, Veterans and Emergency Management, Bureau of Maine Veterans' Services to provide veterans with temporary and emergency assistance and instead establishes the Veterans Temporary Assistance Fund and prescribes the purposes for which it may be used within the bureau. The law also provides ongoing funding for the Veterans Temporary Assistance Fund and the Maine National Guard Postsecondary Fund from the General Fund.

This law also expands the Maine National Guard Education Assistance Program to include the Maine Criminal Justice Academy and private nonprofit postsecondary education institutions as institutions where members of the Maine National Guard may receive a tuition benefit. The law requires that private nonprofit postsecondary education institutions must register with the Military Bureau in order to take part in the Maine National Guard Education Assistance Program. Under this law, the tuition benefit provided by a private nonprofit postsecondary education institution may not exceed the in-state tuition at the University of Maine at Orono for the previous academic year.