

MAINE STATE LEGISLATURE

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STATE OF MAINE
129TH LEGISLATURE
FIRST REGULAR SESSION



Summaries of bills, adopted amendments and laws enacted or finally passed

**JOINT STANDING COMMITTEE ON
VETERANS AND LEGAL AFFAIRS**

August 2019

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STATE OF MAINE

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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 129th 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 129th Legislature is Thursday, September 19, 2019. 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 510 An Act To Authorize Funding for Transitional Housing for Women
Veterans and Their Families**

CARRIED OVER

<u>Sponsor(s)</u>	<u>Committee Report</u>	<u>Amendments Adopted</u>
SHEATS B HERBIG E	OTP-AM	H-118

This bill provides a one-time General Fund appropriation of \$150,000 in fiscal year 2019-20 to the Department of Defense, Veterans and Emergency Management for the Betsy Ann Ross House of Hope to provide suitable housing for women veterans in transition and their families.

Committee Amendment "A" (H-118)

This amendment adds an emergency preamble and emergency clause to the bill and moves the appropriation to fiscal year 2018-19.

This bill was reported out of committee and then carried over to any special or regular session, or both, of the 129th legislature on the Special Appropriations Table by joint order, H.P. 1322.

**LD 514 An Act To Amend the Laws Governing the Political Party
Representation of Election Clerks**

PUBLIC 64

<u>Sponsor(s)</u>	<u>Committee Report</u>	<u>Amendments Adopted</u>
SCHNECK J GRATWICK G	OTP-AM ONTP	H-93

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 major party, with 34% of clerks being selected without regard to party enrollment.

Committee Amendment "A" (H-93)

This amendment, which is the majority report of the committee, strikes and replaces the bill. This amendment changes 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, unlike current law, it does not require municipal officers to appoint the election clerks from among nominees and instead 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. The amendment requires that at least one-half of the election clerks working at any election be affiliated with the major parties, the remaining 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.

Enacted Law Summary

Public Law 2019, chapter 64 changes the process for selection of election clerks and clarifies other provisions regarding election clerks. It retains the provision in current law allowing parties to nominate election clerks but adds authority for the municipal clerk or any registered voter to make nominations. Like current law, Public Law 2019, chapter 64 directs timely consideration of nominations but unlike current law it does not require municipal

Joint Standing Committee on Veterans and Legal Affairs

officers to appoint the election clerks from among nominees and instead allows them to appoint any qualified voter. Under Public Law 2019, chapter 64 there must be a minimum of two election clerks at each voting place, one each from the two major parties. At least one-half of the total election clerks working at any election must be affiliated with the major parties; the remaining election clerks may be affiliated with a minor party or be unenrolled.

Public Law 2018, chapter 64 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.

LD 517 An Act To Facilitate Fair Ballot Representation for All Candidates

**HELD BY
GOVERNOR**

<u>Sponsor(s)</u>	<u>Committee Report</u>	<u>Amendments Adopted</u>
FAULKINGHAM B MOORE M	OTP-AM ONTP	H-164

This bill permits a candidate to request that the candidate's nickname appear on the ballot for an election in the State. The candidate's nickname, if any, must be set off by quotation marks and be placed on the ballot immediately after the candidate's legal first name or initial and before the candidate's legal middle name or middle initial, if any.

Committee Amendment "A" (H-164)

This amendment is the majority report of the committee and specifies that if a candidate requests that the candidate's nickname appear on the ballot for an election in the State, the candidate must include the nickname on the candidate's declaration of consent or written acceptance filed with the Secretary of State and must declare that the nickname is actually the name by which the candidate is known to others. The amendment also specifies that if a candidate requests that the candidate's nickname appear on the ballot for an election in the State, the Secretary of State must set off the candidate's nickname by quotation marks and it must be placed on the ballot following the candidate's legal last name, first initial and middle initial, if any.

**LD 534 An Act To Make Ballot Questions Easier To Read and Understand for
Maine Voters**

**PUBLIC 414
EMERGENCY**

<u>Sponsor(s)</u>	<u>Committee Report</u>	<u>Amendments Adopted</u>
ANDREWS J LUCHINI L	OTP-AM	H-277

This bill requires that ballot questions be written in a manner that is understandable to the greatest number of voters possible, determined to be for adult literacy at the 6th-grade reading level, which is the standard used for other important official state documents, including for the Maine Residents Property Tax Program, notices regarding child support, municipal property tax deferral programs for seniors and temporary assistance for needy families. This bill also requires ballot questions to unambiguously state the effect of a "yes" or "no" vote.

Committee Amendment "A" (H-277)

This amendment strikes and replaces the bill but retains the emergency preamble and emergency clause. The amendment makes the following changes to the laws governing the printing of ballots for referendum questions.

1. It requires the Secretary of State to draft the ballot question for a people's veto or a direct initiative in a clear, concise and direct manner that describes the subject matter of the people's veto or direct initiative as simply as is possible.