

# MAINE STATE LEGISLATURE

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**LAWS**  
**OF THE**  
**STATE OF MAINE**

**AS PASSED BY THE**

**ONE HUNDRED AND TWENTY-SECOND LEGISLATURE**

**FIRST REGULAR SESSION**  
**December 1, 2004 to March 30, 2005**

**FIRST SPECIAL SESSION**  
**April 4, 2005 to June 18, 2005**

**THE GENERAL EFFECTIVE DATE FOR**  
**FIRST REGULAR SESSION**  
**NON-EMERGENCY LAWS IS**  
**JUNE 29, 2005**

**THE GENERAL EFFECTIVE DATE FOR**  
**FIRST SPECIAL SESSION**  
**NON-EMERGENCY LAWS IS**  
**SEPTEMBER 17, 2005**

**PUBLISHED BY THE REVISOR OF STATUTES**  
**IN ACCORDANCE WITH MAINE REVISED STATUTES ANNOTATED,**  
**TITLE 3, SECTION 163-A, SUBSECTION 4.**

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**Penmor Lithographers**  
**Lewiston, Maine**  
**2005**

it may apply to the Legislative Council, which may grant an extension; and be it further

**Sec. 10. Funding. Resolved:** That the Maine Emergency Management Agency shall transfer \$5,320 at the beginning of fiscal year 2005-06 and \$5,320 at the beginning of fiscal year 2006-07 to the Legislature to support the cost of the task force; and be it further

**Sec. 11. Task force budget. Resolved:** That the chairs of the task force, with assistance from the task force staff, shall administer the task force's budget. Within 10 days after its first meeting, the task force shall present a work plan and proposed budget to the Legislative Council for its approval. The task force may not incur expenses that would result in the task force's exceeding its approved budget; and be it further

**Sec. 12. Appropriations and allocations. Resolved:** That the following appropriations and allocations are made.

**LEGISLATURE**

**Miscellaneous Studies 0444**

Initiative: Provides funds for the per diem and expenses for members of the Task Force to Study Maine's Homeland Security Needs as well as public hearings and other costs to support the meetings of the task force.

**OTHER SPECIAL REVENUE FUNDS**

	2005-06	2006-07
Personal Services	\$1,320	\$1,320
All Other	\$4,000	\$4,000
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OTHER SPECIAL REVENUE FUNDS TOTAL	\$5,320	\$5,320

**Emergency clause.** In view of the emergency cited in the preamble, this resolve takes effect when approved.

Effective June 23, 2005.

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**CHAPTER 127**

**S.P. 590 - L.D. 1608**

**Resolve, To Establish a Study Commission To Study Alternative Voting Procedures, the Citizen Initiative Process and Minor Party Ballot Access**

**Sec. 1. Commission established. Resolved:** That the Commission To Study Alternative Voting Procedures, the Citizen Initiative Process and Minor Party Ballot Access, referred to in this resolve as "the commission," is established; and be it further

**Sec. 2. Commission membership. Resolved:** That the commission consists of 11 members appointed as follows:

1. Three members of the Senate, appointed by the President of the Senate. When making the appointments, the President of the Senate shall ensure representation from both political parties and give preference to members from the Joint Standing Committee on Legal and Veterans Affairs;

2. Three members of the House of Representatives, appointed by the Speaker of the House of Representatives. When making the appointments, the Speaker of the House of Representatives shall ensure representation from the major parties, include an unenrolled member or a member of a minor party and give preference to members from the Joint Standing Committee on Legal and Veterans Affairs;

3. The Secretary of State or a designee;

4. A representative of the Maine Municipal Association appointed by the President of the Senate from a list provided by the association;

5. A representative of the Maine Town and City Clerks' Association appointed by the Speaker of the House from a list provided by the association;

6. An official of the Maine Democratic Party, appointed by the chair of the party; and

7. An official of the Maine Republican Party, appointed by the chair of the party.

**Sec. 3. Chairs. Resolved:** That the first-named Senate member is the Senate chair of the commission and the first-named House of Representatives member is the House chair of the commission; and be it further

**Sec. 4. Appointments; convening of commission. Resolved:** That all appointments must be made no later than 30 days following the effective date of this resolve. The appointing authorities shall notify the Executive Director of the Legislative Council once all appointments have been completed. Within 15 days after appointment of all members, the chairs shall call and convene the first meeting of the commission, which must be no later than August 1, 2005; and be it further

**Sec. 5. Duties. Resolved:** That the commission shall examine proposals to improve ballot access and address issues regarding elections and the citizen initiative process, including, but not limited to:

1. The institution of an "instant run-off" method of determining the winners of elections, which simulates the ballot counts that would occur if all

voters participated in a series of run-off elections and allows a voter to rank candidates according to that voter's preferences;

2. The implementation of "fusion voting," which authorizes cross-endorsement or the practice of multiple parties or political designations nominating the same candidate;

3. Facilitating the formation of minor political parties;

4. The implementation of a vote-by-mail system; and

5. Informing the public about the fiscal implications of proposed citizen initiated legislation; and be it further

**Sec. 6. Meetings. Resolved:** That the commission is authorized to meet 3 times; and be it further

**Sec. 7. Staff assistance. Resolved:** That the Legislative Council shall provide necessary staffing services to the commission with the assistance of the Office of the Attorney General; and be it further

**Sec. 8. Compensation. Resolved:** That the legislative members of the commission are entitled to receive the legislative per diem, as defined in the Maine Revised Statutes, Title 3, section 2, and reimbursement for travel and other necessary expenses related to their attendance at authorized meetings of the commission; and be it further

**Sec. 9. Report. Resolved:** That, no later than December 7, 2005, the commission shall submit a report that includes its findings and recommendations, including suggested legislation, for presentation to the Second Regular Session of the 122nd Legislature. The commission is authorized to introduce legislation related to its report to the Second Regular Session of the 122nd Legislature at the time of submission of its report; and be it further

**Sec. 10. Extension. Resolved:** That, if the commission requires a limited extension of time to complete its study and make its report, it may apply to the Legislative Council, which may grant an extension; and be it further

**Sec. 11. Commission budget. Resolved:** That the chairs of the commission, with assistance from the commission staff, shall administer the commission's budget. Within 10 days after its first meeting, the commission shall present a work plan and proposed budget to the Legislative Council for its approval. The commission may not incur expenses that would result in the commission's exceeding its approved budget. Upon request from the commission, the Executive Director of the Legislative Council shall

promptly provide the commission chairs and staff with a status report on the commission budget, expenditures incurred and paid and available funds.

See title page for effective date.

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## CHAPTER 128

### H.P. 854 - L.D. 1236

#### **Resolve, To Establish the Study Commission Regarding Liveable Wages**

**Sec. 1. Commission established. Resolved:** That the Study Commission Regarding Liveable Wages, referred to in this resolve as "the commission," is established; and be it further

**Sec. 2. Commission membership. Resolved:** That the commission consists of the following members appointed as follows:

1. Two Senators who are members of different political parties, appointed by the President of the Senate;

2. Three members of the House of Representatives of whom no more than 2 are members of the same political party, appointed by the Speaker of the House of Representatives;

3. A representative of the business community, recommended by the Maine State Chamber of Commerce and appointed by the President of the Senate;

4. A representative of municipal government, recommended by the Maine Municipal Association and appointed by the Speaker of the House of Representatives;

5. A representative of organized labor, recommended by the Maine AFL-CIO and appointed by the President of the Senate;

6. A representative of an advocacy organization for the poor or for women, appointed by the Speaker of the House of Representatives;

7. The Commissioner of Labor or the commissioner's designee, as an ex officio, nonvoting member;

8. The Commissioner of Health and Human Services or the commissioner's designee, as an ex officio, nonvoting member; and

9. The Commissioner of Economic and Community Development or the commissioner's designee, as an ex officio, nonvoting member; and be it further