

MAINE STATE LEGISLATURE

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LAWS
OF THE
STATE OF MAINE

AS PASSED BY THE

ONE HUNDRED AND TWENTY-EIGHTH LEGISLATURE

FIRST SPECIAL SESSION
October 23, 2017 to November 6, 2017

SECOND REGULAR SESSION
January 3, 2018 to May 2, 2018

THE GENERAL EFFECTIVE DATE FOR
FIRST SPECIAL SESSION
NON-EMERGENCY LAWS IS
FEBRUARY 5, 2018

THE GENERAL EFFECTIVE DATE FOR
SECOND REGULAR SESSION
NON-EMERGENCY LAWS IS
AUGUST 1, 2018

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

Augusta, Maine
2018

Sec. 5. 7-A MRSA §201-B, as enacted by PL 2017, c. 215, §2, is repealed.

Sec. 6. Authority to report a bill. The Joint Standing Committee on Agriculture, Conservation and Forestry may report out a bill relating to the Maine Revised Statutes, Title 7, chapter 8-F to the Second Regular Session of the 128th Legislature.

Sec. 7. Effective date. Those sections of this Act that repeal the Maine Revised Statutes, Title 7-A, section 101, subsection 2-B and Title 7-A, section 201-B take effect November 1, 2017.

Emergency clause. In view of the emergency cited in the preamble, this legislation takes effect when approved, except as otherwise indicated.

Effective October 31, 2017, unless otherwise indicated.

**CHAPTER 315
S.P. 606 - L.D. 1649**

**An Act To Provide Funding for
Geographic Information
System Services**

Emergency preamble. Whereas, acts and resolves of the Legislature do not become effective until 90 days after adjournment unless enacted as emergencies; and

Whereas, this legislation provides funding to the Department of Administrative and Financial Services, Office of Geographic Information Systems and Maine Library of Geographic Information for the current fiscal year; and

Whereas, certain obligations and expenses related to the provision of services by the Department of Administrative and Financial Services, Office of Geographic Information Systems and Maine Library of Geographic Information to state agencies will become due and payable during the current fiscal year; and

Whereas, in the judgment of the Legislature, these facts create an emergency within the meaning of the Constitution of Maine and require the following legislation as immediately necessary for the preservation of the public peace, health and safety; now, therefore,

Be it enacted by the People of the State of Maine as follows:

Sec. 1. Appropriations and allocations. The following appropriations and allocations are made.

ADMINISTRATIVE AND FINANCIAL SERVICES, DEPARTMENT OF

Revenue Services, Bureau of 0002

Initiative: Provides funding for the Department of Administrative and Financial Services, Office of Geographic Information Systems and Maine Library of Geographic Information.

GENERAL FUND	2017-18	2018-19
All Other	\$263,213	\$265,725
GENERAL FUND TOTAL	\$263,213	\$265,725
ADMINISTRATIVE AND FINANCIAL SERVICES, DEPARTMENT OF		
DEPARTMENT TOTALS	2017-18	2018-19
GENERAL FUND	\$263,213	\$265,725
DEPARTMENT TOTAL - ALL FUNDS	\$263,213	\$265,725

AGRICULTURE, CONSERVATION AND FORESTRY, DEPARTMENT OF

Office of the Commissioner 0401

Initiative: Provides funding for the Department of Administrative and Financial Services, Office of Geographic Information Systems and Maine Library of Geographic Information.

GENERAL FUND	2017-18	2018-19
All Other	\$102,512	\$102,921
GENERAL FUND TOTAL	\$102,512	\$102,921
OTHER SPECIAL REVENUE FUNDS		
All Other	\$18,090	\$18,163
OTHER SPECIAL REVENUE FUNDS TOTAL	\$18,090	\$18,163

AGRICULTURE, CONSERVATION AND FORESTRY, DEPARTMENT OF

DEPARTMENT TOTALS	2017-18	2018-19
GENERAL FUND	\$102,512	\$102,921
OTHER SPECIAL REVENUE FUNDS	\$18,090	\$18,163

DEPARTMENT TOTAL - ALL FUNDS	\$120,602	\$121,084
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**BAXTER STATE PARK AUTHORITY
Baxter State Park Authority 0253**

Initiative: Provides funding for the Department of Administrative and Financial Services, Office of Geographic Information Systems and Maine Library of Geographic Information.

OTHER SPECIAL REVENUE FUNDS	2017-18	2018-19
All Other	\$6,780	\$6,818
OTHER SPECIAL REVENUE FUNDS TOTAL	\$6,780	\$6,818

BAXTER STATE PARK AUTHORITY

DEPARTMENT TOTALS	2017-18	2018-19
OTHER SPECIAL REVENUE FUNDS	\$6,780	\$6,818
DEPARTMENT TOTAL - ALL FUNDS	\$6,780	\$6,818

DEFENSE, VETERANS AND EMERGENCY MANAGEMENT, DEPARTMENT OF

Administration - Maine Emergency Management Agency 0214

Initiative: Provides funding for the Department of Administrative and Financial Services, Office of Geographic Information Systems and Maine Library of Geographic Information.

FEDERAL EXPENDITURES FUND	2017-18	2018-19
All Other	\$40,410	\$40,640
FEDERAL EXPENDITURES FUND TOTAL	\$40,410	\$40,640

DEFENSE, VETERANS AND EMERGENCY MANAGEMENT, DEPARTMENT OF

DEPARTMENT TOTALS	2017-18	2018-19
FEDERAL EXPENDITURES FUND	\$40,410	\$40,640

DEPARTMENT TOTAL - ALL FUNDS	\$40,410	\$40,640
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**EDUCATION, DEPARTMENT OF
School Finance and Operations Z078**

Initiative: Provides funding for the Department of Administrative and Financial Services, Office of Geographic Information Systems and Maine Library of Geographic Information.

GENERAL FUND	2017-18	2018-19
All Other	\$5,644	\$5,681
GENERAL FUND TOTAL	\$5,644	\$5,681

**EDUCATION, DEPARTMENT OF
DEPARTMENT TOTALS**

GENERAL FUND	2017-18	2018-19
GENERAL FUND	\$5,644	\$5,681
DEPARTMENT TOTAL - ALL FUNDS	\$5,644	\$5,681

ENVIRONMENTAL PROTECTION, DEPARTMENT OF

Administration - Environmental Protection 0251

Initiative: Provides funding for the Department of Administrative and Financial Services, Office of Geographic Information Systems and Maine Library of Geographic Information.

GENERAL FUND	2017-18	2018-19
All Other	\$103,271	\$103,753
GENERAL FUND TOTAL	\$103,271	\$103,753

OTHER SPECIAL REVENUE FUNDS	2017-18	2018-19
All Other	\$44,604	\$44,604
OTHER SPECIAL REVENUE FUNDS TOTAL	\$44,604	\$44,604

**ENVIRONMENTAL PROTECTION, DEPARTMENT OF
DEPARTMENT TOTALS**

DEPARTMENT TOTALS	2017-18	2018-19
DEPARTMENT TOTALS	2017-18	2018-19

GENERAL FUND	\$103,271	\$103,753
OTHER SPECIAL REVENUE FUNDS	\$44,604	\$44,604
DEPARTMENT TOTAL - ALL FUNDS	\$147,875	\$148,357

HEALTH AND HUMAN SERVICES, DEPARTMENT OF

Office of the Commissioner 0142

Initiative: Provides funding for the Department of Administrative and Financial Services, Office of Geographic Information Systems and Maine Library of Geographic Information.

GENERAL FUND	2017-18	2018-19
All Other	\$27,655	\$27,793
GENERAL FUND TOTAL	\$27,655	\$27,793
OTHER SPECIAL REVENUE FUNDS	2017-18	2018-19
All Other	\$18,437	\$18,529
OTHER SPECIAL REVENUE FUNDS TOTAL	\$18,437	\$18,529

HEALTH AND HUMAN SERVICES, DEPARTMENT OF

DEPARTMENT TOTALS	2017-18	2018-19
GENERAL FUND	\$27,655	\$27,793
OTHER SPECIAL REVENUE FUNDS	\$18,437	\$18,529
DEPARTMENT TOTAL - ALL FUNDS	\$46,092	\$46,322

HOUSING AUTHORITY, MAINE STATE

Housing Authority - State 0442

Initiative: Provides funding for the Department of Administrative and Financial Services, Office of Geographic Information Systems and Maine Library of Geographic Information.

OTHER SPECIAL REVENUE FUNDS	2017-18	2018-19
All Other	\$6,780	\$6,818

OTHER SPECIAL REVENUE FUNDS TOTAL	\$6,780	\$6,818
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HOUSING AUTHORITY, MAINE STATE DEPARTMENT TOTALS	2017-18	2018-19
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OTHER SPECIAL REVENUE FUNDS	\$6,780	\$6,818
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DEPARTMENT TOTAL - ALL FUNDS	\$6,780	\$6,818
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INLAND FISHERIES AND WILDLIFE, DEPARTMENT OF

Office of the Commissioner - Inland Fisheries and Wildlife 0529

Initiative: Provides funding for the Department of Administrative and Financial Services, Office of Geographic Information Systems and Maine Library of Geographic Information.

GENERAL FUND	2017-18	2018-19
All Other	\$108,102	\$108,584
GENERAL FUND TOTAL	\$108,102	\$108,584

INLAND FISHERIES AND WILDLIFE, DEPARTMENT OF

DEPARTMENT TOTALS	2017-18	2018-19
GENERAL FUND	\$108,102	\$108,584
DEPARTMENT TOTAL - ALL FUNDS	\$108,102	\$108,584

LABOR, DEPARTMENT OF

Administration - Labor 0030

Initiative: Provides funding for the Department of Administrative and Financial Services, Office of Geographic Information Systems and Maine Library of Geographic Information.

GENERAL FUND	2017-18	2018-19
All Other	\$5,644	\$5,681
GENERAL FUND TOTAL	\$5,644	\$5,681

LABOR, DEPARTMENT OF		
DEPARTMENT TOTALS	2017-18	2018-19
GENERAL FUND	\$5,644	\$5,681
DEPARTMENT TOTAL - ALL FUNDS	\$5,644	\$5,681

**MARINE RESOURCES, DEPARTMENT OF
Bureau of Policy and Management 0258**

Initiative: Provides funding for the Department of Administrative and Financial Services, Office of Geographic Information Systems and Maine Library of Geographic Information.

GENERAL FUND	2017-18	2018-19
All Other	\$59,729	\$59,959
GENERAL FUND TOTAL	\$59,729	\$59,959

MARINE RESOURCES, DEPARTMENT OF		
DEPARTMENT TOTALS	2017-18	2018-19
GENERAL FUND	\$59,729	\$59,959
DEPARTMENT TOTAL - ALL FUNDS	\$59,729	\$59,959

**PUBLIC SAFETY, DEPARTMENT OF
Fire Marshal - Office of 0327**

Initiative: Provides funding for the Department of Administrative and Financial Services, Office of Geographic Information Systems and Maine Library of Geographic Information.

OTHER SPECIAL REVENUE FUNDS	2017-18	2018-19
All Other	\$38,138	\$38,368
OTHER SPECIAL REVENUE FUNDS TOTAL	\$38,138	\$38,368

PUBLIC SAFETY, DEPARTMENT OF		
DEPARTMENT TOTALS	2017-18	2018-19
OTHER SPECIAL REVENUE FUNDS	\$38,138	\$38,368

DEPARTMENT TOTAL - ALL FUNDS	\$38,138	\$38,368
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**PUBLIC UTILITIES COMMISSION
Emergency Services Communication Bureau 0994**

Initiative: Provides funding for the Department of Administrative and Financial Services, Office of Geographic Information Systems and Maine Library of Geographic Information.

OTHER SPECIAL REVENUE FUNDS	2017-18	2018-19
All Other	\$40,979	\$41,209
OTHER SPECIAL REVENUE FUNDS TOTAL	\$40,979	\$41,209

PUBLIC UTILITIES COMMISSION		
DEPARTMENT TOTALS	2017-18	2018-19

OTHER SPECIAL REVENUE FUNDS	\$40,979	\$41,209
DEPARTMENT TOTAL - ALL FUNDS	\$40,979	\$41,209

**SECRETARY OF STATE, DEPARTMENT OF
Administration - Motor Vehicles 0077**

Initiative: Provides funding for the Department of Administrative and Financial Services, Office of Geographic Information Systems and Maine Library of Geographic Information.

HIGHWAY FUND	2017-18	2018-19
All Other	\$6,212	\$6,249
HIGHWAY FUND TOTAL	\$6,212	\$6,249

SECRETARY OF STATE, DEPARTMENT OF		
DEPARTMENT TOTALS	2017-18	2018-19

HIGHWAY FUND	\$6,212	\$6,249
DEPARTMENT TOTAL - ALL FUNDS	\$6,212	\$6,249

SECTION TOTALS	2017-18	2018-19
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GENERAL FUND	\$675,770	\$680,097
HIGHWAY FUND	\$6,212	\$6,249
FEDERAL EXPENDITURES FUND	\$40,410	\$40,640
OTHER SPECIAL REVENUE FUNDS	\$173,808	\$174,509
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SECTION TOTAL - ALL FUNDS	\$896,200	\$901,495

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

Effective October 31, 2017.

CHAPTER 316

H.P. 1137 - L.D. 1646

An Act To Implement Ranked-choice Voting in 2021

Be it enacted by the People of the State of Maine as follows:

Sec. 1. 21-A MRSA §1, sub-§27-C, as enacted by IB 2015, c. 3, §1, is repealed and the following enacted in its place:

27-C. Elections determined by ranked-choice voting. "Elections determined by ranked-choice voting" means:

A. Primary elections for the offices of United States Senator, United States Representative to Congress, Governor, State Senator and State Representative;

B. General and special elections for the offices of United States Senator and United States Representative to Congress; and

C. General and special elections for the offices of Governor, State Senator and State Representative.

This subsection is repealed December 1, 2021 unless, prior to that date, the voters of the State ratify an amendment to the Constitution of Maine, Article IV, Part First, Section 5, Article IV, Part Second, Sections 4 and 5 and Article V, Part First, Section 3 authorizing the Legislature, by proper enactment, to determine the method by which the Governor and members of the State Senate and House of Representatives are elected.

Sec. 2. 21-A MRSA §1, sub-§35-A, as enacted by IB 2015, c. 3, §2, is amended to read:

35-A. Ranked-choice voting. "Ranked-choice voting" means the method of casting and tabulating votes in which voters rank candidates in order of preference,

tabulation proceeds in sequential rounds in which last-place candidates are defeated and the candidate with the most votes in the final round is elected.

This subsection is repealed December 1, 2021 unless, prior to that date, the voters of the State ratify an amendment to the Constitution of Maine, Article IV, Part First, Section 5, Article IV, Part Second, Sections 4 and 5 and Article V, Part First, Section 3 authorizing the Legislature, by proper enactment, to determine the method by which the Governor and members of the State Senate and House of Representatives are elected.

Sec. 3. 21-A MRSA §601, sub-§2, ¶J, as enacted by IB 2015, c. 3, §3, is amended to read:

J. For ~~offices elected~~ elections determined by ranked-choice voting, the ballot must be simple and easy to understand and allow a voter to rank candidates for an office in order of preference. A voter may include no more than one write-in candidate among that voter's ranked choices for each office.

This paragraph is repealed December 1, 2021 unless, prior to that date, the voters of the State ratify an amendment to the Constitution of Maine, Article IV, Part First, Section 5, Article IV, Part Second, Sections 4 and 5 and Article V, Part First, Section 3 authorizing the Legislature, by proper enactment, to determine the method by which the Governor and members of the State Senate and House of Representatives are elected.

Sec. 4. 21-A MRSA §695, first ¶, as amended by PL 2001, c. 516, §10, is further amended to read:

Except for elections determined by ranked-choice voting, the following provisions apply to the counting of ballots. The election clerks shall count the ballots under the supervision of the warden as soon as the polls are closed, except that if, in the opinion of the municipal clerk the public interests will best be served, referendum ballots may be counted on the day immediately following the election, as long as the count is completed within 24 hours after the polls are closed. If referendum ballots are counted under this exception, the municipal clerk is responsible for the security and safekeeping of the ballots until the count has been completed.

Sec. 5. 21-A MRSA §722, sub-§1, as amended by PL 2017, c. 141, §2, is further amended to read:

1. How tabulated. The Secretary of State shall tabulate all votes that appear by an election return to have been cast for each question or candidate whose name appeared on the ballot. For ~~offices elected~~ elections determined by ranked-choice voting, the Secretary of State shall tabulate the votes according to the ranked-choice voting method described in section