

# MAINE STATE LEGISLATURE

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STATE OF MAINE  
126<sup>TH</sup> LEGISLATURE  
FIRST REGULAR SESSION



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

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

July 2013

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# STATE OF MAINE

126<sup>TH</sup> LEGISLATURE

FIRST REGULAR SESSION



## 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 126<sup>th</sup> 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. The appendices include a summary of relevant session statistics, an index of all bills by LD number and an index of enacted laws by law type and chapter number.

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 126<sup>th</sup> Legislature is October 9, 2013. 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 769 An Act To Create Fairness in Political Party Enrollment Deadlines**

**PUBLIC 173**

<u>Sponsor(s)</u>	<u>Committee Report</u>	<u>Amendments Adopted</u>
CHIPMAN	OTP-AM	H-118

Under current law, a voter must file an application to change party enrollment prior to January 1st to be eligible to file a petition as a candidate in that year's election, except that a person who changes residence from one municipality to another may change the person's enrollment in a political party and file a petition for candidacy without adhering to any deadlines.

This bill removes that exception and extends the January 1st deadline to all prospective candidates.

**Committee Amendment "A" (H-118)**

This amendment replaces the bill. Current law requires a voter to have changed enrollment before January 1st in order to be eligible to file a petition as a candidate for nomination by primary election in that election year, except that a voter who changes residence from one municipality to another is waived from this requirement. The amendment removes this waiver.

**Enacted Law Summary**

Public Law 2013, chapter 173 amends the law that requires a voter to have changed enrollment before January 1st in order to be eligible to file a petition as a candidate for nomination by primary election in that election year, except that a voter who changes residence from one municipality to another is waived from this requirement. Chapter 173 removes this waiver.

**LD 770 An Act Regarding Corporate and Other Entity Campaign Advertising Disclosure and Accountability**

**ACCEPTED  
MAJORITY  
(ONTP) REPORT**

<u>Sponsor(s)</u>	<u>Committee Report</u>	<u>Amendments Adopted</u>
MACDONALD W	ONTP OTP-AM	

This bill requires specific disclosures by corporations and various groups that make political communications in print, by television and radio and through Internet media. The bill also requires corporations and groups making political contributions of more than \$2,000 to report regarding those contributions to the Commission on Governmental Ethics and Election Practices.

**Committee Amendment "A" (H-379)**

This amendment which was not adopted incorporates a fiscal note.

**LD 859 An Act To Increase Ethics and Transparency in Government Service**

**PUBLIC 288**

<u>Sponsor(s)</u>	<u>Committee Report</u>	<u>Amendments Adopted</u>
RUSSELL	OTP-AM	H-423

## Joint Standing Committee on Veterans and Legal Affairs

This bill provides that a person may not be employed in a position for which the salary is subject to adjustment by the Governor or a major policy-influencing position if that person has engaged in lobbying in the previous 12 months. The bill prohibits a person from lobbying if that person has been employed in a position for which the salary is subject to adjustment by the Governor or a major policy-influencing position within the previous five years. The bill also expands the definition of "lobbying" to include attempting to influence regulatory or adjudicatory action by an executive branch agency.

### Committee Amendment "A" (H-423)

This amendment removes the provision in the bill that states that a person may not be employed in a position for which the salary is subject to adjustment by the Governor or in a major policy-influencing position if that person has engaged in lobbying in the previous 12 months. The amendment clarifies the provision in the bill that prohibits a person from lobbying if that person has been employed in a position for which the salary is subject to adjustment by the Governor or in a major policy-influencing position within the previous five years. It reduces that waiting period to 12 months and makes the prohibition effective beginning January 1, 2015.

### Enacted Law Summary

Public Law 2013, chapter 288 prohibits a person from engaging in activities that would require that person to register as a lobbyist or lobbyist associate if that person has been employed in a position for which the salary is subject to adjustment by the Governor or in a major policy-influencing position within the previous 12 months.

This prohibition takes effect January 1, 2015.

**LD 860      An Act To Require That the Governor, Senators and Members of the      ONTP**  
**House of Representatives Be Elected by the Ranked-choice Voting**  
**Method**

<u>Sponsor(s)</u>	<u>Committee Report</u>	<u>Amendments Adopted</u>
RUSSELL SAVIELLO	ONTP	

This bill creates the ranked-choice voting method of determining winners in elections for Governor, Senators and Members of the House of Representatives. The method 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. Each voter has only one vote and the ballot count is the same as would occur if voters participated in a series of run-off elections, with the candidate with the fewest votes eliminated after each round of counting.

There is an initial round of counting. If more than two candidates have received votes after the initial round, the Secretary of State conducts a second round. In this second round, the Secretary of State eliminates the candidate with the fewest votes. A ballot that ranks this eliminated candidate as the highest-ranked candidate is counted as a vote for the highest-ranked advancing candidate on that ballot. An advancing candidate is a candidate who has not been eliminated. This process of counting votes and eliminating the candidate with the fewest votes continues until 2 candidates remain. The candidate with the most votes is declared the winner.

The bill requires that the question of electing the Governor, Senators and Members of the House of Representatives in this manner go to a statewide referendum to have the citizens of the State vote on the matter.