

MAINE STATE LEGISLATURE

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STATE OF MAINE
126TH 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

126TH LEGISLATURE

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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 126th 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 126th 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

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 House of Representatives Be Elected by the Ranked-choice Voting Method

ONTP

<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.