

# MAINE STATE LEGISLATURE

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**STATE OF MAINE**  
128<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**

August 2017

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# STATE OF MAINE

128<sup>TH</sup> 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 128<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. 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 128<sup>th</sup> Legislature is Wednesday, November 1, 2017. The effective date for legislation enacted as an emergency measure may be found in the enacted law summary for that legislation.

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the director of the Gambling Control Unit within the Department of Public Safety to oversee and administer the licensing and enforcement of the conduct of fantasy contests in the State. It also establishes an annual license fee of \$2,500 for contest operators that receive \$100,000 or more in gross fantasy contest revenue per year and authorizes the director of the Gambling Control Unit to set an application fee to cover the costs of administering the application process and conducting necessary background investigations. Fantasy contest operators that receive less than \$100,000 in gross fantasy contest revenues are not required to pay the license fee but are subject to the application fee. The law establishes licensing criteria and conditions of licensure for the operators of fantasy contests and requires the director to adopt rules.

Chapter 303 requires a distribution of 10% of gross fantasy contest revenues of fantasy contest operators that receive revenues of \$100,000 or more annually. Finally, it provides that the laws governing unlawful gambling and games of chance do not apply to fantasy contest operators that comply with the laws governing fantasy contests.

**LD 1323**

**An Act To Amend the Direct Initiative Signature Gathering Process**

**PUBLIC 277**

<u>Sponsor(s)</u>	<u>Committee Report</u>	<u>Amendments Adopted</u>
LUCHINI L	OTP-AM	H-405

This bill authorizes the Secretary of State to suspend, revoke or refuse to renew the commission of a notary public who has allowed another person to use that notary public's commission. It also authorizes the Secretary of State to invalidate a petition for a direct initiative or people's veto if the Secretary of State is unable to verify the notarization of that petition. The bill directs the Secretary of State to establish an online reporting system for suspected fraudulent signature gathering practices for direct initiative and people's veto petitions.

**Committee Amendment "A" (H-405)**

This amendment adds sections to the bill regarding certifying and notarizing petitions for a direct initiative or people's veto referendum. The amendment requires that a circulator sign a petition in the presence of a notary public or other authorized person to verify by oath or affirmation that the circulator personally witnessed all signatures to the petition. After administration of the oath or affirmation by the notary public or other authorized person, the notary public or other authorized person is required to sign the notarial certificate in the presence of the circulator. It also requires the notary public or other authorized person to maintain a log of the petitions for which the notary public or other authorized person administered the circulator's oath.

The amendment also provides that a notary public or other authorized person is prohibited from notarizing a petition for a direct initiative or people's veto if the notary public or other authorized person is employed or compensated by a petition organization or ballot question committee for any purpose other than providing notarial acts.

Finally, the amendment strikes the provision in the bill that requires the Secretary of State to establish an online reporting system for suspected fraudulent signature gathering practices and instead directs the Secretary of State to establish a method to facilitate the acceptance of such reports from members of the public.

**Enacted Law Summary**

Public Law 2017, chapter 277 authorizes the Secretary of State to suspend, revoke or refuse to renew the commission of a notary public who has allowed another person to use that notary public's commission. It also authorizes the Secretary of State to invalidate a petition for a direct initiative or people's veto if the Secretary of State is unable to verify the notarization of that petition.

The law requires that a circulator of a petition for a people's veto or direct initiative sign a petition in the presence of a notary public or another person authorized to verify by oath or affirmation that the circulator personally witnessed all signatures to the petition. After administration of the oath or affirmation by the notary public or other authorized

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person, the notary public or other authorized person is required to sign the notarial certificate in the presence of the circulator. It also requires the notary public or other authorized person to maintain a log of the petitions for which the notary public or other authorized person administered the circulator's oath.

Chapter 277 provides that a notary public or other authorized person is prohibited from notarizing a petition for a direct initiative or people's veto if the notary public or other authorized person is employed or compensated by a petition organization or ballot question committee for any purpose other than providing notarial acts.

Finally, the law directs the Secretary of State to establish a method to facilitate the acceptance of such reports from members of the public.

**LD 1339      An Act To Amend the Procedure To Determine the Wording of Ballot Questions for Citizen Initiatives      ONTP**

<u>Sponsor(s)</u>	<u>Committee Report</u>	<u>Amendments Adopted</u>
SUTTON P	ONTP	

This bill requires the Secretary of State to submit the ballot question for a pending citizen initiative of legislation to the Legislative Council for the council's review and approval. If the council does not approve the ballot question, the Secretary of State is required to revise the question and submit the revised question to the council for its review and approval.

**LD 1357      An Act To Authorize Multiparty Candidate Nominations for State Offices      ONTP**

<u>Sponsor(s)</u>	<u>Committee Report</u>	<u>Amendments Adopted</u>
BRAKEY E	ONTP	

This bill allows a candidate to be nominated for a state office by more than one party. A candidate is not required to be an enrolled member of a party to serve as that party's nominee for state office. The name of such a candidate must appear on the ballot once with the name of each party that nominated the candidate listed below the candidate's name.

**LD 1368      An Act To Amend Funding Distributions under the Maine Clean Election Act      ONTP**

<u>Sponsor(s)</u>	<u>Committee Report</u>	<u>Amendments Adopted</u>
PICKETT R WHITTEMORE R	ONTP	

This bill changes funding distributions under the Maine Clean Election Act. It removes the changes made to funding distributions in Initiated Bill 2015, chapter 1. It restores the method of funding distributions that was in law prior to enactment of Initiated Bill 2015, chapter 1, which required the Commission on Governmental Ethics and Election Practices to determine the funding amount at least every two years and set a specific distribution for gubernatorial elections. It differs from the method of funding distributions in law prior to enactment of the initiated bill by limiting the information the commission may consider in making a determination. It also eliminates supplemental fund distributions.