

# MAINE STATE LEGISLATURE

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**STATE OF MAINE**  
128<sup>TH</sup> LEGISLATURE  
FIRST SPECIAL, SECOND REGULAR AND SECOND SPECIAL SESSIONS



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

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

October 2018

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# STATE OF MAINE

128<sup>TH</sup> LEGISLATURE

FIRST SPECIAL, SECOND REGULAR AND SECOND SPECIAL SESSIONS



## LEGISLATIVE DIGEST OF BILL SUMMARIES AND ENACTED LAWS

This *Legislative Digest of Bill Summaries and Enacted Laws* contain summaries of all LDs and adopted amendments and all laws enacted or finally passed during the First Special, Second Regular and Second Special Sessions 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 dates for non-emergency legislation enacted in the First Special, Second Regular or Second Special Sessions of the 128<sup>th</sup> Legislature are: Monday, February 5, 2018; Wednesday, August 1, 2018; and Thursday, December 13, 2018, respectively. 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*

license and must retain those officers for at least 10 years after the issue or renewal of the license. This bill was not reported out of committee.

**LD 1590 An Act Authorizing the Aroostook Band of Micmacs and the Houlton Band of Maliseet Indians To Benefit from the Operation of an Existing Casino**

**Accepted Majority (ONTP) Report**

<u>Sponsor(s)</u>	<u>Committee Report</u>	<u>Amendments Adopted</u>
CARPENTER M TALBOT ROSS R	ONTP OTP-AM	

This bill was carried over from the First Regular Session to the Second Regular Session of the 128th Legislature.

Current law requires that 4% of the net slot machine income from the casino in Oxford be distributed to the tribal governments of the Penobscot Nation and the Passamaquoddy Tribe. This bill requires that this 4% of the net slot machine income be distributed to the tribal governments of the Penobscot Nation, the Passamaquoddy Tribe, the Houlton Band of Maliseet Indians and the Aroostook Band of Micmacs.

**Committee Amendment "A" (S-365)**

This amendment incorporates a fiscal note.

**LD 1646 An Act To Implement Ranked-choice Voting in 2021**

**PUBLIC 316**

<u>Sponsor(s)</u>	<u>Committee Report</u>	<u>Amendments Adopted</u>
ACKLEY K	OTP-AM OTP-AM ONTP OTP-AM	H-568

This bill was carried over from the First Regular Session to the Second Regular Session of the 128th Legislature.

This bill amends the ranked-choice voting law to bring it into compliance with the Constitution of Maine by applying the provisions of the law only to primary elections for the offices of United States Senator, United States Representative to Congress, Governor, State Senator and State Representative and general and special elections for the offices of United States Senator and United States Representative to Congress. The bill does not allow ranked-choice voting to be used for general and special elections for the offices of Governor, State Senator and State Representative unless 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 that authorizes 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 is ratified.

The bill requires the Secretary of State to adopt routine technical rules for the administration of ranked-choice voting, including the administration of recounts.

**Committee Amendment "B" (H-568)**

This amendment delays the implementation of ranked-choice voting until elections held after December 1, 2021. This amendment provides that the laws governing ranked-choice voting are repealed unless the Constitution of Maine is amended to authorize the Legislature to determine the method by which the Governor and members of the Legislature are elected. The amendment requires the Secretary of State to submit a report on the implementation of ranked-choice voting to the joint standing committee of the Legislature having jurisdiction over election matters no

## Joint Standing Committee on Veterans and Legal Affairs

later than January 2, 2019.

### Enacted Law Summary

Public Law 2017, chapter 316 amends the law governing the method of determining the results of elections using ranked-choice voting. It repeals the definition of "offices elected by ranked-choice voting" and replaces it with a definition of "elections determined by ranked-choice voting." It also clarifies existing law that requires ballots to be counted by election clerks under the supervision of the warden, by providing an exception for elections determined by ranked-choice voting.

Chapter 316 directs the Secretary of State to adopt routine technical rules for the proper and efficient administration of elections to be determined by ranked-choice voting, which must include, at a minimum, procedures for conducting recounts. It also requires the Secretary of State to submit a report on the implementation of ranked-choice voting by January 2, 2019.

Chapter 316 provides that the implementation of ranked-choice voting is delayed until elections held after December 1, 2021 and clarifies that the winner of a primary election held before that date is the candidate who receives a plurality of the votes cast for nomination to that office. Primaries held after December 1, 2021 are determined by ranked-choice voting.

Finally, chapter 316 imposes a contingent repeal on the use of ranked-choice voting for elections. It states that unless the voters of the State, prior to December 2021, ratify an amendment to the Constitution of Maine authorizing the Legislature, by proper enactment, to determine the method by which the Governor, members of the State Senate and House of Representatives are elected, the sections of statute that authorize the implementation of ranked-choice voting are repealed.

Portions of Public Law 2017, chapter 316 were suspended on November 6, 2017 upon the filing of an application for a people's veto pursuant to Article IV, Part Third, Section 17 of the Constitution of Maine. The date of the people's veto referendum election was June 12, 2018.

**LD 1693      An Act To Clarify the Law Governing the Separation of a Class A  
Restaurant and an Off-premises Retail Licensee Located on the Same  
Premises**

**PUBLIC 324**

<u>Sponsor(s)</u>	<u>Committee Report</u>	<u>Amendments Adopted</u>
POULIOT M MILLETT R	OTP	

This bill clarifies that a provision of the liquor laws that requires complete separation, including supplies and inventory, of two retail liquor establishments at the same location does not apply to a manufacturing facility and a retail establishment at the same location.

### Enacted Law Summary

Public Law 2017, chapter 324 clarifies that a provision of the liquor laws that requires complete separation, including supplies and inventory, of two retail liquor establishments at the same location does not apply to a manufacturing facility and a retail establishment at the same location.