

MAINE STATE LEGISLATURE

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STATE OF MAINE
128TH 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**

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STATE OF MAINE

128TH 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 128th 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 128th 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

value. This bill allows that raffle to include total cash prizes not exceeding \$20,000 with no more than one \$10,000 prize for the holder of a winning chance.

Committee Amendment "A" (S-378)

Current law states that a person or an organization is not required to register with the Gambling Control Unit when conducting a raffle with a prize of \$1,000 or less. This amendment adds provisions to the bill amending the law to increase that prize amount to \$2,500. The amendment also adds an emergency preamble and an emergency clause to the bill.

Enacted Law Summary

Public Law 2017, chapter 365 amends a provision of the laws governing games of chance which allows an eligible organization registered with the Gambling Control Unit to conduct one raffle in a 12-month period awarding noncash prizes up to \$75,000 in value. Chapter 365 allows that raffle to include total cash prizes not exceeding \$20,000 with no more than one \$10,000 prize for the holder of a winning chance.

Chapter 365 increases the threshold prize amount which requires an organization conducting a raffle to register with the Gambling Control Unit from an amount greater than \$1,000 to \$2,500.

Public Law 2017, chapter 365 was enacted as an emergency measure effective April 8, 2018.

LD 1846 An Act To Require the Provision of Photographic Identification by Voters INDEF PP

<u>Sponsor(s)</u>	<u>Committee Report</u>	<u>Amendments Adopted</u>
FARRIN B WHITTEMORE R		

This bill was not referred to committee.

This bill requires that a voter provide proof of identity with photographic identification for the purpose of voting. The bill specifies the types of photographic identification that may be used to verify the identity of a voter. It provides that a person who does not present photographic identification may cast a provisional ballot and establishes the process for provisional voting. Under this process, if the person can verify the person's identity to the municipal clerk, deputy clerk or warden or an election clerk within three business days after the election by presenting acceptable photographic identification, the ballot will be cast as a regular ballot. The bill provides that, through the general election of 2018, a person who does not present acceptable photographic identification but is known to a municipal clerk, registrar or election official at the voting place may cast a regular ballot upon submission of an affidavit by the municipal clerk, registrar or election official attesting to the person's identity. The bill requires that provisional ballots must be retained in tamper-proof containers separately from provisional ballot affidavits and the provisional ballot log and that rejected provisional ballots, provisional ballot logs and provisional ballot affidavits must be retained in the same manner as regular ballots and election materials. Finally, the bill requires the Secretary of State to provide, without a fee, nondriver identification cards to eligible persons who do not have another form of acceptable photographic identification to verify identity for the purpose of voting.

LD 1865 An Act To Increase Transparency in the Direct Initiative Process PUBLIC 418

<u>Sponsor(s)</u>	<u>Committee Report</u>	<u>Amendments Adopted</u>
LUCHINI L	OTP-AM ONTP	H-714

Joint Standing Committee on Veterans and Legal Affairs

This bill was carried over from the Second Regular Session to the next special session by joint order S.P. 748.

The bill changes the requirements regarding the statements the Secretary of State must include on petitions used for the collection of signatures for a direct initiative. If the circulator of a petition is being paid to circulate the petition, that petition must include, on each page intended for voter signatures, a statement under the circulator's name that the circulator is being paid. The bill also states that a notary public or other person generally authorized to administer oaths or affirmations is not considered authorized to administer oaths or affirmations to a petition circulator if the notary public or person is also providing services to initiate that petition or promote the measure for which the petition is being circulated. It also provides that a notary public has a conflict of interest if the notary public provides services, other than notarial acts, to a campaign for a direct initiative or people's veto referendum and also administers an oath to a circulator who is collecting signatures for that same direct initiative or people's veto referendum. The bill requires financial reports from major contributors to a direct initiative or people's veto referendum campaign. A major contributor is an entity, other than an individual, that makes contributions aggregating more than \$100,000 in a calendar year to a ballot committee or political action committee for the purpose of initiating or influencing a direct initiative or people's veto referendum. The report must disclose the name and purpose of the organization making the contribution, the amount and date of each contribution, the five largest sources of income in the year prior to filing the report, whether the organization has received contributions for the purposes of influencing a direct initiative or people's veto referendum, if the organization is a tax-exempt organization and if the organization has filed campaign finance reports in other jurisdictions in the past 12 months.

Committee Amendment "A" (H-714)

This amendment is the majority report of the committee. It removes the provisions in the bill requiring an additional statement on a petition for a direct initiative of legislation indicating if the circulator is being paid to solicit signatures. The amendment clarifies the definition of "major contributor." It provides that a person, other than an individual, becomes a major contributor upon making one or more contributions aggregating \$100,000 or more to a ballot question committee or political action committee to influence any one direct initiative campaign or any one people's veto referendum campaign. The amendment also changes the date by which a major contributor must file a report. Under the bill, the report is due at the same time as the recipient committee's October quarterly report. The amendment provides that the major contributor files a report on or before the next regularly scheduled filing deadline after the major contributor receives notice of the reporting requirement. Under the bill, a major contributor is required to report the five largest sources of funds received by the major contributor during the 12 months prior to submitting the report. The amendment provides that the report must identify the five largest sources of funds received by the major contributor during the period six months before the first contribution is made to the direct initiative or people's veto campaign through the date the report is filed. Finally, the amendment provides that a major contributor is not required to identify a source of funds if that source restricted the use of those funds to purposes that are unrelated to a direct initiative or people's veto campaign. The bill allows for this exception to be governed by rules to be adopted by the Commission on Governmental Ethics and Election Practices.

Enacted Law Summary

Public Law 2017, Chapter 418 modifies the law governing the direct initiative and people's veto referendum processes.

Chapter 418 replaces current law limiting who may notarize or certify a petition to initiate the direct initiative or people's veto referendum. Current law provides that a notary public or other authorized person is prohibited from notarizing or certifying a petition if employed or compensated by a petition organization for any purpose other than notarial acts; if providing services or offering assistance to a ballot question committee established to influence the ballot measure for which the petitions are being circulated or employed by or receiving compensation from such a ballot question committee for any purpose other than notarial acts; or if a treasurer, principal officer, primary fundraiser or primary decision maker to a ballot question committee established to influence the ballot measure for

Joint Standing Committee on Veterans and Legal Affairs

which petitions are being circulated. Chapter 418 provides instead that that it is a conflict of interest for a notary public to administer an oath or affirmation to a circulator of a petition for a direct initiative or people's veto referendum if the notary public also provides other services to initiate or promote the direct initiative or people's veto referendum. It also prohibits a notary public or other authorized person from administering an oath or affirmation to the circulator of a petition to initiate the direct initiative or people's veto referendum if the notary public or other authorized person is providing any other services, regardless of compensation, to initiate the direct initiative or people's veto referendum or providing other services, regardless of compensation, to promote the direct initiative or people's veto referendum.

Chapter 418 also creates certain reporting requirements for contributions made by a major contributor to a ballot question committee or political action committee for the purpose of initiating or influencing a people's veto referendum campaign or a direct initiative campaign. It defines a "major contributor" as a person, other than an individual, that makes one or more contributions aggregating in excess of \$100,000. It also requires the recipient committee to notify a major contributor of the reporting requirement. Chapter 418 provides for certain civil penalties for a major contributor that does not file a timely report.

LD 1912 An Act To Prohibit Campaign Fund-raising at the Voting Place

**Died On
Adjournment**

Sponsor(s)

PARRY W

Committee Report

Amendments Adopted

This bill was not referred to committee.

This bill prohibits collection or solicitation by any person of campaign contributions related to a political organization, candidate for elected office or proposition submitted to voters on public property within 250 feet of the entrance to the voting place as well as within the voting place itself.

**LD 1926 RESOLUTION, Proposing an Amendment to the Constitution of Maine
To Specify the Qualifications of Electors**

**Died On
Adjournment**

Sponsor(s)

BRAKEY E

Committee Report

Amendments Adopted

This resolution proposes to amend the Constitution of Maine to specify that only a person who is a citizen of the United States may vote in a state, county or municipal or other local election.