

MAINE STATE LEGISLATURE

The following document is provided by the
LAW AND LEGISLATIVE DIGITAL LIBRARY
at the Maine State Law and Legislative Reference Library
<http://legislature.maine.gov/lawlib>



Reproduced from electronic originals
(may include minor formatting differences from printed original)

STATE OF MAINE
129TH LEGISLATURE
FIRST REGULAR SESSION



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

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

August 2019

STAFF:

JANET STOCCO, LEGISLATIVE ANALYST
DANIEL TARTAKOFF, LEGISLATIVE ANALYST
OFFICE OF POLICY AND LEGAL ANALYSIS
13 STATE HOUSE STATION
AUGUSTA, ME 04333
(207) 287-1670
<http://legislature.maine.gov/legis/opla/>

MEMBERS:

SEN. LOUIS J. LUCHINI, CHAIR
SEN. ERIN D. HERBIG
SEN. SCOTT W. CYRWAY

REP. JOHN C. SCHNECK, CHAIR
REP. JANICE E. COOPER
REP. CRAIG V. HICKMAN
REP. BRIAN L. HUBBELL
REP. JOYCE "JAY" MCCREIGHT
REP. SCOTT WALTER STROM
REP. SHELDON MARK HANINGTON
REP. JOHN ANDREWS
REP. JOSANNE C. DOLLOFF
REP. KENT ACKLEY

STATE OF MAINE

129TH 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 129th 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 129th Legislature is Thursday, September 19, 2019. 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

officers to appoint the election clerks from among nominees and instead allows them to appoint any qualified voter. Under Public Law 2019, chapter 64 there must be a minimum of two election clerks at each voting place, one each from the two major parties. At least one-half of the total election clerks working at any election must be affiliated with the major parties; the remaining election clerks may be affiliated with a minor party or be unenrolled.

Public Law 2018, chapter 64 also provides that if the municipal officers do not appoint a sufficient number of election clerks representing the major parties or an insufficient number of appointees are available to serve from the list provided by municipal officers, the municipal clerk may appoint additional election clerks without regard to party enrollment status.

LD 517 An Act To Facilitate Fair Ballot Representation for All Candidates

**HELD BY
GOVERNOR**

<u>Sponsor(s)</u>	<u>Committee Report</u>	<u>Amendments Adopted</u>
FAULKINGHAM B MOORE M	OTP-AM ONTP	H-164

This bill permits a candidate to request that the candidate's nickname appear on the ballot for an election in the State. The candidate's nickname, if any, must be set off by quotation marks and be placed on the ballot immediately after the candidate's legal first name or initial and before the candidate's legal middle name or middle initial, if any.

Committee Amendment "A" (H-164)

This amendment is the majority report of the committee and specifies that if a candidate requests that the candidate's nickname appear on the ballot for an election in the State, the candidate must include the nickname on the candidate's declaration of consent or written acceptance filed with the Secretary of State and must declare that the nickname is actually the name by which the candidate is known to others. The amendment also specifies that if a candidate requests that the candidate's nickname appear on the ballot for an election in the State, the Secretary of State must set off the candidate's nickname by quotation marks and it must be placed on the ballot following the candidate's legal last name, first initial and middle initial, if any.

**LD 534 An Act To Make Ballot Questions Easier To Read and Understand for
Maine Voters**

**PUBLIC 414
EMERGENCY**

<u>Sponsor(s)</u>	<u>Committee Report</u>	<u>Amendments Adopted</u>
ANDREWS J LUCHINI L	OTP-AM	H-277

This bill requires that ballot questions be written in a manner that is understandable to the greatest number of voters possible, determined to be for adult literacy at the 6th-grade reading level, which is the standard used for other important official state documents, including for the Maine Residents Property Tax Program, notices regarding child support, municipal property tax deferral programs for seniors and temporary assistance for needy families. This bill also requires ballot questions to unambiguously state the effect of a "yes" or "no" vote.

Committee Amendment "A" (H-277)

This amendment strikes and replaces the bill but retains the emergency preamble and emergency clause. The amendment makes the following changes to the laws governing the printing of ballots for referendum questions.

1. It requires the Secretary of State to draft the ballot question for a people's veto or a direct initiative in a clear, concise and direct manner that describes the subject matter of the people's veto or direct initiative as simply as is possible.

Joint Standing Committee on Veterans and Legal Affairs

- 2. It eliminates the requirement that questions for a people's veto referendum be phrased so that an affirmative vote is in favor of the people's veto.
- 3. It requires that an explanation of the effect of a "yes" vote and the effect of a "no" vote be printed on the ballot immediately below each referendum question, including each people's veto, direct initiative, bond issue, constitutional amendment and other legislatively proposed referendum question.

Enacted Law Summary

Public Law 2019, chapter 414 makes the following changes to the laws governing the printing of ballots for referendum questions.

- 1. It requires the Secretary of State to draft the ballot question for a people's veto or a direct initiative in a clear, concise and direct manner that describes the subject matter of the people's veto or direct initiative as simply as is possible.
- 2. It eliminates the requirement that questions for a people's veto referendum be phrased so that an affirmative vote is in favor of the people's veto.
- 3. It requires that an explanation of the effect of a "yes" vote and the effect of a "no" vote be printed on the ballot immediately below each referendum question, including each people's veto, direct initiative, bond issue, constitutional amendment and other legislatively proposed referendum question.

Public Law 2019, chapter 414 was enacted as an emergency measure effective June 20, 2019.

LD 553 An Act To Ensure Proper Oversight of Sports Betting in the State

**HELD BY
GOVERNOR**

<u>Sponsor(s)</u>	<u>Committee Report</u>	<u>Amendments Adopted</u>
LUCHINI L	OTP-AM OTP-AM ONTP	S-318

This bill is a concept draft pursuant to Joint Rule 208 that proposes to ensure proper oversight of sports betting.

Committee Amendment "A" (S-318)

This amendment, which is the majority report of the committee, strikes and replaces the bill, which is a concept draft. The amendment authorizes the Department of Public Safety, Gambling Control Unit to regulate sports wagering in the State.

Licensed commercial tracks, licensed off-track betting facilities, licensed casinos and federally recognized Indian tribes are eligible to apply for facility sports wagering licenses to conduct in-person sports wagering in the State. These entities are also eligible to apply for mobile sports wagering licenses to conduct sports wagering through mobile applications or digital platforms, as are qualified gaming entities that offer sports wagering through mobile applications or digital platforms in any jurisdiction in the United States pursuant to a state regulatory structure. Facility sports wagering licensees and mobile sports wagering licensees, referred to in the amendment as operators, may purchase or lease equipment, systems or services for sports wagering from entities with a supplier license, whose equipment, systems or services must meet standards established by rule. Operators may also enter into written contracts, approved by the director of the Gambling Control Unit within the Department of Public Safety, with management services licensees that have sufficient knowledge and experience in the business of operating