

MAINE STATE LEGISLATURE

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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**

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STATE OF MAINE

129TH 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 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

This bill authorizes the Department of Public Safety, Gambling Control Board to regulate, supervise and exercise general control over sports wagering in the State. The bill authorizes the board to issue licenses to casinos, commercial tracks, off-track betting facilities and high-stakes beano facilities to conduct sports wagering. A licensee may either directly operate a sports wagering business or enter a written contract, approved by the board, with a licensed management services provider to conduct sports wagering on its behalf.

The bill directs the board to adopt rules governing the conduct of sports wagering, including rules defining permitted systems and methods of wagering on sports events, the adoption and posting of comprehensive house rules in every facility where sports wagers are accepted and on every electronic platform through which sports wagers are made, minimum design and security requirements for sports wagering facilities and electronic platforms and minimum internal control standards for the financial aspects of sports wagering operations.

The bill prohibits sports wagering operators, including management services providers, from accepting wagers on high school and minor league sports events as well as collegiate sports events in which any Maine college team participates. The bill also prohibits sports wagering operators from accepting wagers on a sports event from a person under 21 years of age, an athlete or official who participates in the sports event, an employee or owner of a team that is participating in the sports event, an employee of the sports wagering operator, the board or the Gambling Control Unit within the Department of Public Safety and a person who is on a list established by the board of persons prohibited from placing wagers on sports events.

The bill requires distribution of 5% of net sports wagering revenue to the General Fund. An additional 5% of net sports wagering revenue must be collected and distributed to support licensed commercial tracks, licensed off-track betting facilities, the Sire Stakes Fund, the Agricultural Fair Support Fund and the fund to supplement harness racing purses.

Finally, the bill provides that the laws governing unlawful gambling and games of chance do not apply to sports wagering operations that comply with the laws governing sports wagering.

Selected portions of this bill were incorporated in the committee amendments to LD 553.

LD 1663 **An Act To Clarify Ranked-choice Voting Laws**

PUBLIC 320

| <u>Sponsor(s)</u> | <u>Committee Report</u> | <u>Amendments Adopted</u> |
|------------------------|-------------------------|---------------------------|
| LUCHINI L SCHNECK J | OTP-AM ONTP | S-194 |

This bill, which was submitted by the Secretary of State pursuant to Joint Rule 204, makes the following changes to the laws governing ranked-choice voting.

1. It clarifies that "elections determined by ranked-choice voting" only occur when there are three or more candidates for an office.
2. It requires that ranked-choice contests be grouped together on the ballot and separated from non-ranked-choice contests either on one side of a ballot or on a separate ballot and requires that the ballot contain separate voting instructions above the first ranked-choice contest, the first non-ranked-choice contest and the first referendum question.
3. It provides that a voter may only include a write-in candidate on the ballot for a ranked-choice contest if that candidate is a declared write-in candidate.
4. It allows the Secretary of State to create a separate voter instruction poster for ranked-choice voting.

Joint Standing Committee on Veterans and Legal Affairs

5. It provides that municipalities count, report to the Secretary of State and post as the unofficial election results only the first choice votes cast for elections determined by ranked-choice voting.
6. It excepts elections determined by ranked-choice voting from the general rule that the person who receives a plurality of the votes cast is the winner of a primary election.
7. It substitutes the word "count" for the word "tabulate" in the laws governing the process for determining the winner of an election determined by ranked choice voting.
8. It clarifies that, unless the Constitution of Maine establishes the process for resolving a tie vote, ties in elections determined by ranked-choice voting are resolved by lot in primary elections and by a special election ordered by the Governor in general or special elections.
9. It authorizes the Secretary of State to limit to as low as five the number of rankings allowed on the ballot in a ranked-choice voting contest from.
10. It limits the candidates who can request a recount of a ranked-choice voting contest to those candidates receiving the top three rankings in the penultimate round of ranked-choice counting.

Committee Amendment "A" (S-194)

This amendment, which is the majority report of the committee, makes several technical changes to the bill and clarifies that the Secretary of State has discretion to determine whether ranked-choice contests should appear on the same ballot page as or on a different ballot page from contests that are not subject to ranked-choice voting. The amendment also clarifies that a voter's decision to rank more than one candidate for a single office does not render the voter's vote invalid in an election determined by ranked-choice voting. The amendment further requires that an election official post a paper copy of the results of the first choice votes cast in elections determined by ranked-choice voting, if a secure place is available at the voting place or municipal office where the public may view the election results.

Enacted Law Summary

Public Law 2019, chapter 320 makes the following changes to the laws governing ranked-choice voting.

1. It clarifies that "elections determined by ranked-choice voting" only occur when there are three or more candidates for an office.
2. It requires that ranked-choice contests be grouped together on the ballot and authorizes, but does not require ranked-choice contests to be presented either on the same page of the ballot as non-ranked choice contests or on a separate ballot or ballot page. It also requires that the ballot contain separate voting instructions above the first ranked-choice contest, the first non-ranked-choice contest and the first referendum question.
3. It allows the Secretary of State to create a separate voter instruction poster for ranked-choice voting.
4. It clarifies that a voter's decision to rank more than one candidate for a single office does not render the voter's vote invalid in an election determined by ranked-choice voting.
5. It provides that municipalities count, report to the Secretary of State and post only the first choice votes cast for elections determined by ranked-choice voting.
6. It excepts elections determined by ranked-choice voting from the general rule that the person who receives a plurality of the votes cast is the winner of a primary election.

Joint Standing Committee on Veterans and Legal Affairs

7. It substitutes the word "count" for the word "tabulate" in the laws governing the process for determining the winner of an election determined by ranked choice voting.

8. It clarifies that, unless the Constitution of Maine establishes the process for resolving a tie vote, tie votes in elections determined by ranked-choice voting are resolved by lot in primary elections and by a special election ordered by the Governor in general or special elections.

9. It authorizes the Secretary of State to limit to as low as five the number of rankings allowed on the ballot in a ranked-choice voting contest from.

10. It limits the candidates who can request a recount of a ranked-choice voting contest to those candidates receiving the top three rankings in the penultimate round of ranked-choice counting.

LD 1665 An Act To Automatically Change a Voter Registration Address upon ONTP
Change of Address for a Driver's License

| <u>Sponsor(s)</u> | <u>Committee Report</u> | <u>Amendments Adopted</u> |
|-------------------|-------------------------|---------------------------|
| CHIPMAN B | ONTP | |

This bill requires the Secretary of State to review on a weekly basis changes of addresses of driver's licenses and, if a person who has changed an address is registered to vote in the State, to update the central voter registration system accordingly. Compare LD 1463.

LD 1669 RESOLUTION, Proposing an Amendment to the Constitution of Maine Accepted Report A
To Help Ensure That Direct Initiatives of Legislation Are Compatible (ONTP)
with the Constitution of Maine and Statutory Law

| <u>Sponsor(s)</u> | <u>Committee Report</u> | <u>Amendments Adopted</u> |
|-------------------|-------------------------|---------------------------|
| O'CONNOR B | ONTP | |
| FOLEY R | OTP-AM | |
| | OTP-AM | |

This resolution proposes to amend Article IV, part 3, section 20 of the Constitution of Maine to require that a person who requests a petition form for a direct initiative of legislation must submit a written application for a petition form to the office of the Secretary of State, the office of the Governor, the office of the Attorney General and the Legislature. The Secretary of State, the Governor, the Attorney General and the Legislature must review a direct initiative of legislation and determine whether it is compatible with the Constitution of Maine and statutory law. If the Secretary of State, the Governor, the Attorney General or the Legislature determines that the measure is not compatible with the Constitution of Maine or statutory law, the Secretary of State may not furnish or approve petition forms for the direct initiative of legislation.

Committee Amendment "A" (H-600)

This amendment, which is one of two minority reports of the committee, strikes the resolution and replaces it with a bill requiring the Secretary of State and the Attorney General to review the proposed law submitted with an application for a direct initiative of legislation to determine whether it conflicts with the Constitution of Maine or the United States Constitution. If the Secretary of State or the Attorney General determines that a conflict exists, that official must provide a written opinion describing the conflict to the applicant within 15 business days after the direct initiative application was received by the Secretary of State. The applicant may submit a new draft of the proposed law to the Secretary of State in response to the written opinion.