

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**

August 2019

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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

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 FOLEY R	ONTP 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.

Joint Standing Committee on Veterans and Legal Affairs

This amendment was not adopted.

Committee Amendment "B" (H-601)

This amendment, which is one of two minority reports of the committee, strikes the resolution and replaces it with a bill enabling a voter who submits an application to initiate proceedings for the direct initiative of legislation to request in the application that the Attorney General review the proposed law submitted with the application to determine whether it conflicts with the Constitution of Maine or the United States Constitution. If the Attorney General determines that a conflict exists, the Attorney General 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.

This amendment was not adopted.

LD 1680 An Act To Authorize Common Consumption Area Licenses for the Consumption of Alcoholic Beverages within Designated Entertainment Districts

PUBLIC 281

<u>Sponsor(s)</u>	<u>Committee Report</u>	<u>Amendments Adopted</u>
SANBORN H TEPLER D	OTP-AM	S-184

This bill authorizes the issuance of auxiliary liquor licenses for the consumption of spirits, wine and malt liquor within entertainment districts authorized by and located within municipalities or unincorporated places.

Committee Amendment "A" (S-184)

This amendment makes the following changes to the process established in the bill for the issuance of licenses for the consumption of alcoholic beverages in entertainment districts.

1. It provides that an entertainment district ordinance established by a municipal legislative body must describe the boundaries of the entertainment district as well as permissible hours of operation and maximum size of any common consumption area located within the entertainment district. The ordinance must also specify the maximum number of licensees that may operate a single common consumption area and whether a common consumption area located within the entertainment district may include public or private ways.
2. It clarifies that an auditorium, hotel, restaurant, Class A restaurant, Class A restaurant/lounge or Maine manufacturer licensed under the Maine Revised Statutes, Title 28-A to serve alcoholic beverages is eligible for a common consumption area license. An applicant's premises must be located both within the entertainment district and adjacent to the common consumption area.
3. It specifies that a common consumption area license does not permit the licensee to serve alcoholic beverages that the licensee is not authorized to serve pursuant to the licensee's underlying liquor license.
4. It clarifies that the customers of a common consumption area licensee may consume alcoholic beverages served by the licensee either on the licensee's premises or within the premises of the common consumption area, which must be controlled by barriers and by signs prohibiting consumption beyond the barriers.

Enacted Law Summary

Public Law 2019, chapter 281 authorizes the issuance of common consumption area licenses for the consumption of alcoholic beverages in entertainment districts located within municipalities that have adopted entertainment district ordinances. An entertainment district ordinance must describe the boundaries of the entertainment district as well