

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

committees and ballot question committees need not file reports 11 days before an election and 42 days after an election in years when a primary and general election are not held, unless the committee received contributions or made expenditures for purposes of influencing a ballot question election, a special election or a municipal candidate or referendum election;

7. Amending the laws regarding reports by political action committees to make those laws apply to ballot question committees and amending the definition to ballot question committee to include persons who are not political action committees and receive contributions or make expenditures in excess of \$5,000 for the purpose of initiating or influencing a campaign for a ballot question unless the person only makes expenditures of the person's own money to political action committees or ballot question committees for this purpose; and

8. Increasing the penalty for candidates who fail to register with the commission from \$10 to \$100 and establishing the penalty for filing a campaign finance report that does not substantially conform to the reporting requirements, when the dollar amount of the financial activity exceeds \$50,000, as 100% of the dollar amount of that financial activity.

Public Law 2019, chapter 323 also makes changes to the Maine Clean Election Act in the provisions regarding terms of participation, including:

1. Requiring a contributor making a qualifying contribution by check or money order to sign the check or money order and allowing the candidate to remedy an error on the check or money order by endorsing the check or money order to the Maine Clean Election Fund. It allows a contributor to make a qualifying contribution to a participating candidate in the form of cash as long as the contributor signs a form affirming the contribution was made with personal funds. It also allows a contributor to make a qualifying contribution with cash as long as the candidate submits a money order in the same amount to the commission. It specifies that if a participating candidate uses personal funds to pay fees for the purchase of a cashier's check or money order, those fees are not a contribution to the candidate and are not required to be disclosed in campaign finance reports and that the candidate must report any cashier's check or money order fees paid by anyone other than the candidate as an in-kind contribution subject to seed money limitations. It specifies that a payment, gift or anything of value may not be given in exchange for a qualifying contribution; and

2. Prohibiting a candidate's using Maine Clean Election Fund revenues to pay or compensate, for campaign-related goods or services, the candidate or the candidate's spouse or domestic partner, a sole proprietorship of the candidate or the candidate's spouse or domestic partner, a business entity in which the candidate or the candidate's spouse or domestic partner holds a significant proprietary or financial interest or a nonprofit entity in which the candidate or the candidate's spouse or domestic partner is a director, officer, executive director or chief financial officer. It allows a candidate to make expenditures using fund revenues to pay a member of the candidate's immediate family or household, other than the candidate's spouse or domestic partner, a business entity in which a member of the candidate's immediate family or household, other than the candidate's spouse or domestic partner, holds a significant interest or a nonprofit entity in which a member of the candidate's immediate family or household, other than the candidate's spouse or domestic partner, is a director, officer, executive director or chief financial officer, as long as the expenditure is for a legitimate campaign-related purpose, to an individual or business engaged in the normal course of business and in a reasonable amount.

LD 1722

**Resolve, Directing the Secretary of State To Develop a Plan for
Implementation of Automatic Registration of Nonregistered Persons
Qualified To Vote through Records of the Bureau of Motor Vehicles**

ONTP

Sponsor(s)

LUCHINI L

Committee Report

ONTP

Amendments Adopted

Joint Standing Committee on Veterans and Legal Affairs

This resolve, which was submitted by the Secretary of State pursuant to Joint Rule 204, directs the Secretary of State to study the implementation of automatic voter registration. The Secretary of State is required to submit a report to the Joint Standing Committee on Veterans and Legal Affairs by February 1, 2020.

A process for automatic voter registration was enacted through Public Law 2019, chapter 409 (LD 1463), rendering this bill unnecessary.

LD 1730 An Act To Amend the Laws Governing Elections

PUBLIC 371

<u>Sponsor(s)</u>	<u>Committee Report</u>	<u>Amendments Adopted</u>
SCHNECK J LUCHINI L	OTP-AM ONTP	H-459 H-525 SCHNECK J H-526 SCHNECK J H-555 SCHNECK J

This bill, which was submitted by the Secretary of State pursuant to Joint Rule 204, makes the following changes to the election laws.

1. It clarifies that ballots are not public records, regardless of whether they are in a paper format or in an electronic or image format.
2. It reduces the retention period for the receipt for certified copies of the incoming voting list from one year to six months.
3. It adds a retention period of six months for test ballots and documentation of preelection testing of tabulating or accessible voting devices.
4. It adds a deadline for an aggrieved person to appeal a decision of the registrar of voters regarding the person's voter registration.
5. It specifies that voters may enroll in a party by completing the approved state or national voter registration form.
6. It removes a requirement regarding the nomination of county commissioners that primary and nomination petitions must specify the term of office sought.
7. It clarifies that county committee members residing within county commissioner districts make choices for county commissioner nominations for vacancies.
8. It provides that when two United States Senators are to be elected, the term of office sought by each candidate must be specified on the ballot.
9. It provides that write-in spaces on a ballot are required to be provided only for offices in which candidates have declared their write-in candidacy according to the law.
10. It specifies acceptable formats for names of candidates for nomination to appear on a ballot.
11. It changes the description of an official ballot box to be more generic in terms of the security features and the opening for insertion of ballots.
12. It changes the description of ballot security containers to be more generic in terms of the methods used to