

# MAINE STATE LEGISLATURE

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STATE OF MAINE  
129<sup>TH</sup> 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/>

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# STATE OF MAINE

129<sup>TH</sup> 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 129<sup>th</sup> 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 129<sup>th</sup> 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 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

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secure them.

13. It allows the warden at the voting place to open the packages of ballots up to two hours before the polls open.
14. It shortens the time that municipalities have to submit their official return of votes to the Secretary of State from three business days to two business days after the election.
15. It clarifies that a candidate or referendum election tabulation is considered final on the date the Secretary of State submits the tabulation to the Governor.
16. It clarifies the circumstances in which the Governor must issue an election certificate.
17. It authorizes the use of a courier to retrieve ballots in the event of a recount and to deliver them to the recount facility.
18. It clarifies provisions pertaining to recounts of elections to the United States Congress.
19. It adds a new method for returning a voted absentee ballot to the municipal clerk.
20. It provides that municipalities may opt to process absentee ballots beginning on the fourth day before election day, including on a Sunday.
21. It changes the manner by which the municipal clerk must give notice of the municipality's intent to process absentee ballots prior to election day.
22. It removes an incorrect reference to a census block in Augusta that was included in State Representative District 80 that already was correctly included in State Representative District 85.
23. It repeals a provision of the Maine Revised Statutes, Title 30-A that addresses the nomination petitions for county commissioners.
24. It clarifies that the municipal treasurer's statement that must accompany a question for ratification of a municipal bond issue may either be printed on the ballot or printed as a separate document that is made available to voters.
25. It clarifies the election laws restricting certain activities at and around the polls on election day in order to comply with recent court decisions. It provides for an 8-foot-wide access corridor through which voters may pass without interference to the area behind the guardrail where voting takes place. It allows the warden to designate spaces inside the building, but outside the access corridor, where organizations may collect signatures on citizen initiative and people's veto petitions. It reduces the current protected zone from 250 feet to 100 feet outside the building and amends the list of campaign activities that are prohibited within that zone. Campaign activities related to a party or to a question or candidate for an office on the ballot for that election day are prohibited within that zone. It retains the current prohibitions on influencing or attempting to influence any voter but removes the criminal provisions and directs the Secretary of State to issue guidelines to assist local officials in interpreting and applying the law consistently and to inform candidates, campaigns and the public.

### **Committee Amendment "A" (H-459)**

This amendment, which is the majority report of the committee, makes the following changes to the bill.

1. It removes the provisions of the bill that authorize the Secretary of State to omit the write-in space on a ballot for any office in which there is no declared write-in candidate.

## *Joint Standing Committee on Veterans and Legal Affairs*

2. It removes the provisions of the bill that change the laws restricting certain activities at and around the polls on election day.
3. It adds a provision to the bill clarifying the procedures used to collect signatures on petitions for local initiatives.
4. It makes several clarifying technical changes to the bill.

### **House Amendment "A" To Committee Amendment "A" (H-525)**

This amendment strikes the provision of Committee Amendment "A" (H-525) amending the procedures used to collect signatures on petitions for local initiatives.

### **House Amendment "A" (H-526)**

This amendment provides that an unenrolled candidate must remain unenrolled from March 1st until the general election in order to remain qualified as an unenrolled candidate for the office sought.

### **House Amendment "C" To Committee Amendment "A" (H-555)**

This amendment clarifies that a person may not, within the voting place or on public property within 250 feet of the entrance to the voting place, influence or attempt to influence another person's decision regarding a candidate for an office that is on the ballot for the election being held that day.

### **Enacted Law Summary**

Public Law 2019, chapter 371 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 specifies acceptable formats for names of candidates for nomination to appear on a ballot.
10. 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.

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- 11. It changes the description of ballot security containers to be more generic in terms of the methods used to secure them.
- 12. It allows the warden at the voting place to open the packages of ballots up to two hours before the polls open.
- 13. It shortens the time that municipalities have to submit their official return of votes to the Secretary of State from three business days to two business days after the election.
- 14. It clarifies that a candidate or referendum election tabulation is considered final on the date the Secretary of State submits the tabulation to the Governor.
- 15. It clarifies the circumstances in which the Governor must issue an election certificate.
- 16. It authorizes the use of a courier to retrieve ballots in the event of a recount and to deliver them to the recount facility.
- 17. It clarifies provisions pertaining to recounts of elections to the United States Congress.
- 18. It adds a new method for returning a voted absentee ballot to the municipal clerk.
- 19. It provides that municipalities may opt to process absentee ballots beginning on the fourth day before election day, including on a Sunday.
- 20. It changes the manner by which the municipal clerk must give notice of the municipality's intent to process absentee ballots prior to election day.
- 21. It removes an incorrect reference to a census block in Augusta that was included in State Representative District 80 that already was correctly included in State Representative District 85.
- 22. It repeals a provision of the Maine Revised Statutes, Title 30-A that addresses the nomination petitions for county commissioners.
- 23. It clarifies that the municipal treasurer's statement that must accompany a question for ratification of a municipal bond issue may either be printed on the ballot or printed as a separate document that is made available to voters.
- 24. It provides that an unenrolled candidate must remain unenrolled from March 1st until the general election in order to remain qualified as an unenrolled candidate for the office sought.
- 25. It clarifies that a person may not, within the voting place or on public property within 250 feet of the entrance to the voting place, influence or attempt to influence another person's decision regarding a candidate for an office that is on the ballot for the election being held that day.

**LD 1734    An Act To Create a Postsecondary Educational Institution Sampling License**

**PUBLIC 282**

Sponsor(s)  
LUCINI L

Committee Report  
OTP-AM

Amendments Adopted  
S-185

This bill, which was submitted by the Department of Administrative and Financial Services pursuant to Joint Rule 204, creates a new license type for state-supported postsecondary educational institutions that offer a course or