

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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Joint Standing Committee on Veterans and Legal Affairs

**LD 11 An Act Regarding the Acceptance of Maine Clean Election Act
Campaign Contributions on State Websites**

**Accepted Majority
(ONTP) Report**

<u>Sponsor(s)</u>	<u>Committee Report</u>	<u>Amendments Adopted</u>
CEBRA R	ONTP OTP	

This bill prohibits candidates who are seeking certification under the Maine Clean Election Act from collecting qualifying contributions over the Internet on a website hosted or operated by the Commission on Governmental Ethics and Election Practices, the State or a state agency.

**LD 23 Resolve, Regarding Legislative Review of Portions of Chapter 3: Maine
Clean Election Act and Related Provisions, a Major Substantive Rule of
the Commission on Governmental Ethics and Election Practices**

**RESOLVE 6
EMERGENCY**

<u>Sponsor(s)</u>	<u>Committee Report</u>	<u>Amendments Adopted</u>
	OTP	

This resolve provides for legislative review of portions of Chapter 3: Maine Clean Election Act and Related Provisions, a major substantive rule of the Commission on Governmental Ethics and Election Practices, which makes the following changes to the rules governing the MCEA:

1. It clarifies that initial distribution of MCEA Funds will be made no later than three days after the Secretary of State submits tabulated primary election results to the Governor, whether those results are tabulated traditionally or through ranked-choice voting.
2. It clarifies that certified MCEA candidates may not use MCEA Funds to pay for a recount or for recount-related litigation.
3. It clarifies that certified MCEA candidates may solicit and accept donations for attorneys' fees or litigation costs related to recounts or court proceedings in which election results are challenged. Traditional campaign contribution limits apply to donations accepted for these purposes, except there is no limit for donations from party committees; caucus campaign committees; and attorneys or consultants that provide their services pro bono.

Enacted Law Summary

Resolve 2019, chapter 6 provides for legislative review of portions of Chapter 3: Maine Clean Election Act and Related Provisions, a major substantive rule of the Commission on Governmental Ethics and Election Practices, which makes the following changes to the rules governing the MCEA.

1. It clarifies that initial distribution of MCEA Funds will be made no later than three days after the Secretary of State submits tabulated primary election results to the Governor, whether those results are tabulated traditionally or through ranked-choice voting.
2. It clarifies that certified MCEA candidates may not use MCEA Funds to pay for a recount or for recount-related litigation.
3. It clarifies that certified MCEA candidates may solicit and accept donations for attorneys' fees or litigation costs related to recounts or court proceedings in which election results are challenged. Traditional campaign

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contribution limits apply to donations accepted for these purposes, except there is no limit for donations from party committees; caucus campaign committees; and attorneys or consultants that provide their services pro bono.

Resolve 2019, chapter 6 was finally passed as an emergency measure effective March 19, 2019.

**LD 25 An Act To Implement the Recommendations of the Government
Oversight Committee Regarding Bureau of Alcoholic Beverages and
Lottery Operations Reporting Requirements**

PUBLIC 13

<u>Sponsor(s)</u>	<u>Committee Report</u>	<u>Amendments Adopted</u>
	OTP-AM	H-2

This bill implements recommendations of the Government Oversight Committee based on the report on the Maine State Lottery issued by the Office of Program Evaluation and Government Accountability in April 2017.

The bill removes the provision of law that requires the Director of the Bureau of Alcoholic Beverages and Lottery Operations within the Department of Administrative and Financial Services (DAFS) to certify certain financial information related to lottery operations to the Treasurer of State monthly but retains monthly financial reporting to the DAFS Commissioner and the State Liquor and Lottery Commission. The bill modifies the director's annual reporting requirements related to lottery operations to the Governor and the Legislature, establishing February 15th as the date each annual report is due and specifying the information to be included in each report. The bill makes similar changes to the director's monthly and annual reporting requirements with respect to administration of the State's spirits business, to make those requirements consistent with the bill's proposed requirements for lottery operations reporting.

Finally, the bill authorizes the joint standing committee of the Legislature having jurisdiction over lottery and alcoholic beverage matters to submit legislation based on the reports submitted by the director to the committee each year.

Committee Amendment "A" (H-2)

This amendment makes several changes to the requirement that the Director of the Bureau of Alcoholic Beverages and Lottery Operations within the Department of Administrative and Financial Services (DAFS) certify financial information related to administration of the State's spirits business and the bureau's oversight of the manufacture, distribution and sale of liquor in the State monthly. The amendment requires that the director make those monthly certifications to the State Liquor and Lottery Commission in addition to the DAFS Commissioner, as is current practice, to match the provisions of the bill regarding monthly certification of financial information regarding lottery operations. The amendment also repeals a duplicative monthly reporting requirement.

Enacted Law Summary

Public Law 2019, chapter 13 removes the provision of law that requires the Director of the Bureau of Alcoholic Beverages and Lottery Operations within the Department of Administrative and Financial Services (DAFS) to certify certain financial information related to lottery operations to the Treasurer of State monthly but retains monthly financial reporting to the DAFS Commissioner and the State Liquor and Lottery Commission. Chapter 13 modifies the director's annual reporting requirements related to lottery operations to the Governor and the Legislature, establishing February 15th as the date each annual report is due and specifying the information to be included in each report. Chapter 13 makes analogous changes to the director's monthly and annual reporting requirements with respect to administration of the State's spirits business, to make those requirements consistent with the revised requirements for lottery operations reporting, and repeals a duplicative montly reporting requirement.

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Finally, Public Law 2019, chapter 13 authorizes the joint standing committee of the Legislature having jurisdiction over lottery and alcoholic beverage matters to submit legislation based on the reports submitted by the director to the committee each year.

LD 34 An Act To Clarify Game of Chance Licensing Requirements

PUBLIC 60

<u>Sponsor(s)</u>	<u>Committee Report</u>	<u>Amendments Adopted</u>
TUELL W MOORE M	OTP-AM	H-92

This bill authorizes nonprofit fraternal and veterans' organizations to conduct cribbage tournaments in which no cash prizes are awarded without obtaining a license from or registering with the Department of Public Safety, Gambling Control Unit.

Committee Amendment "A" (H-92)

This amendment strikes and replaces the bill. Under current law, an organization must obtain a license to hold or conduct a game of chance, including a card game, if the players risk something of value for the opportunity to win something of value. The amendment modifies the definition of "something of value" to clarify that a license is not required merely because players are entitled to play the game of chance for free or to be entertained for free while playing the game.

Enacted Law Summary

Public Law 2019, chapter 60 modifies the definition of "something of value" in the laws governing games of chance to clarify that an organization is not required to obtain a license to hold or to conduct a game of chance, including a card game, merely because players are entitled to play the game of chance for free or to be entertained for free while playing the game.

LD 54 An Act To Limit the Influence of Lobbyists by Expanding the Prohibition on Accepting Political Contributions

**HELD BY
GOVERNOR**

<u>Sponsor(s)</u>	<u>Committee Report</u>	<u>Amendments Adopted</u>
CHENETTE J COLLINGS B	OTP-AM ONTP	S-132

Current law prohibits the Governor, members of the Legislature, constitutional officers and the staff or agents of the Governor, from soliciting or accepting contributions from a lobbyist, lobbyist associate or employer while the Legislature is convened in session. This bill extends application of that prohibition year-round, regardless of whether the Legislature is in session.

Committee Amendment "A" (S-132)

This amendment, which is the majority report of the committee, strikes and replaces the bill. The amendment reorganizes the structure of the current law prohibiting the Governor, members of the Legislature, constitutional officers and the staff or agents of these officials from soliciting or accepting contributions from a lobbyist, lobbyist associate, employer of a lobbyist or a lobbying firm while the Legislature is convened in session. The amendment clarifies that this prohibition does not apply to a contribution unless the contribution is the property of the lobbyist, lobbyist associate, employer of a lobbyist or lobbying firm.

The amendment also newly prohibits the Governor, a member of the Legislature or the staff or agent of these

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officials from soliciting or accepting contributions from a lobbyist or lobbyist associate when the Legislature is not in session, unless the lobbyist or lobbyist associate is eligible to vote or will be eligible to vote on the day of the election in a district where the Governor or member of the Legislature will appear on the ballot. Similarly, the amendment prohibits a gubernatorial or legislative candidate and the staff or agent of these persons from soliciting or accepting contributions from a lobbyist or lobbyist associate at any time unless the lobbyist or lobbyist associate is eligible to vote or will be eligible to vote on the day of the election in a district where the gubernatorial or legislative candidate will appear on the ballot.

The amendment further clarifies the authority of the Commission on Governmental Ethics and Election Practices to undertake investigations to determine whether any person has improperly solicited, accepted, given or promised a contribution. A contribution made in violation of the law must be returned to the contributor.

The amendment also makes a technical change to remove an obsolete cross-reference to a portion of law repealed in 2008.

Senate Amendment "A" To Committee Amendment "A" (S-150)

This amendment applies the prohibitions on campaign contributions and solicitations when the Legislature is not in legislative session to contributions directly and indirectly solicited or accepted by or given, offered and promised to a political action committee, ballot question committee or party committee of which the Governor, a member of the Legislature or the staff or agent of these officials is a treasurer, officer or primary fund-raiser or decision maker. The amendment also applies the prohibitions on campaign contributions and solicitations at all times, regardless of whether the Legislature is in legislative session, to contributions directly and indirectly solicited or accepted by or given, offered and promised to a political action committee, ballot question committee or party committee of which a gubernatorial or legislative candidate who is not the Governor or a member of the Legislature, or the staff or agent of these persons, is a treasurer, officer or primary fund-raiser or decision maker.

This amendment was originally adopted in the Senate but ultimately removed from the bill after the amendment failed adoption in the House.

LD 76 An Act To Strengthen the Integrity of the Legislature

PUBLIC 57

<u>Sponsor(s)</u>	<u>Committee Report</u>	<u>Amendments Adopted</u>
CHENETTE J MCCREIGHT J	OTP-AM	S-43

This bill prohibits a former Legislator from engaging in any compensated lobbying activities for four years after that person's term as a Legislator ends rather than for one year as in current law. This extended prohibition begins with the convening of the 130th Legislature. The bill also removes the safe harbor in current law that allows a former Legislator to engage in up to eight hours of compensated lobbying per calendar month without violating the prohibition.

Committee Amendment "A" (S-43)

Like the bill, this amendment removes the safe harbor in current law that allows a former Legislator to engage in up to eight hours of lobbying per calendar month without violating the prohibition against a former Legislator engaging in compensated lobbying. Unlike the bill, which prohibits a former Legislator from engaging in compensated lobbying activities for four years after that Legislator's term ends, the amendment prohibits a former Legislator from engaging in compensated lobbying activities for one year after that Legislator's term ends.

The amendment also makes a technical change to the bill to ensure that the prohibition against a former Legislator engaging in compensated lobbying does not prohibit the former Legislator from engaging in lobbying as an employee of the State or of an agency of the State.

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Enacted Law Summary

Public Law 2019, chapter 57 removes the safe harbor in current law that allows a former Legislator to engage in up to eight hours of lobbying per calendar month without violating the prohibition against a former Legislator engaging in compensated lobbying.

LD 95 An Act To Clarify Residency Requirements for Legislative Candidates

**Accepted Majority
(ONTP) Report**

Sponsor(s)

HIGGINS N
DAVIS P

Committee Report

ONTP
OTP-AM

Amendments Adopted

This bill clarifies that the primary residence of a candidate for election as a State Senator or State Representative must be located in the district the candidate seeks to represent on the date of the candidate's nomination for placement on a primary, general or special election ballot. The bill also clarifies that the primary residence of a candidate for election as a State Senator or State Representative must be located in the district the candidate seeks to represent for the three months immediately preceding the general election and, if the candidate is elected, throughout the candidate's term of office.

Committee Amendment "A" (H-40)

This amendment, which is the minority report of the committee, adds a definition of "primary residence" to the bill and specifies that, when a person who is a State Senator or State Representative, or a candidate for those offices, claims a homestead exemption under the Maine Revised Statutes, Title 36, chapter 105, subchapter 4-B, that property is presumed to be the person's primary residence until the person claims a homestead exemption on another property or until the person no longer claims a homestead exemption on any property. A person who files a primary petition or a nomination petition for these offices or who seeks to be declared a write-in candidate for these offices must declare, under oath, that the person's primary residence is in the district the person seeks to represent.

The amendment also clarifies that a vacancy occurs in the office of State Senator or State Representative when the incumbent no longer maintains a primary residence in the district the person represents.

This amendment was not adopted.

LD 114 An Act To Establish Open Primaries for Certain Federal and State Offices

**Accepted Majority
(ONTP) Report**

Sponsor(s)

RYKERSON D
GRATWICK G

Committee Report

ONTP
OTP-AM

Amendments Adopted

This bill provides for open primary elections for the elections for United States Senator, United States Representative to Congress, Governor, State Senator and State Representative. All of the candidates for those offices, including candidates enrolled in a party and unenrolled candidates, must appear on the same open primary ballot. All qualified voters, regardless of enrollment status, are eligible to vote in open primary elections.

Under the bill, the votes in an open primary election must be tabulated using ranked-choice voting, except that the

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two candidates who receive the most votes are declared the winners of the open primary and their names must appear on the ballot for the general election. If one of the two candidates who received the most votes at the open primary withdraws from the race at least 70 days before the general election, that candidate must be replaced with the candidate who received the third most votes in the open primary election, if any. Voters may not vote for a write-in candidate in a general election preceded by an open primary election. As a result, ranked-choice voting is no longer used in general elections for United States Senator and United States Representative to Congress under the bill. Instead, the candidate who receives a plurality of votes at the general election is elected to those offices.

Committee Amendment "A" (H-311)

This amendment, which is the minority report of the committee, makes the following changes to the election laws to implement the open primary election procedure authorized in the bill.

1. It reduces the number of candidate petition signatures that an unenrolled candidate for the office of United States Senator, United States Representative, Governor, State Senator or State Representative must obtain to be placed on the open primary ballot to match the number of petition signatures that a party candidate for the same office must obtain to be placed on the open primary ballot.
2. It authorizes an unenrolled candidate who is certified for participation under the Maine Clean Election Act and who participates in a contested open primary election to receive the same amount of distributions from the Maine Clean Election Fund that a certified party candidate receives for participation in the same contested open primary election.
3. If one of the two candidates who received the most votes at the open primary, as determined by ranked-choice voting, withdraws from the race at least 70 days before the general election, it directs the Secretary of State to replace that candidate on the general election ballot with the candidate who received the next most votes in the open primary who is willing and able to appear on the general election ballot. If no candidate meets these criteria, the amendment directs the Secretary of State to place a blank space on the general election ballot that may be used by a voter to vote for a write-in candidate.
4. It makes a technical change to the deadlines for candidate certification under the Maine Clean Election Act.
5. It adds an appropriations and allocations section.

This amendment was not adopted.

LD 116 An Act To Extend the Duration of Temporary Licenses for Sale and Consumption of Liquor

**PUBLIC 8
EMERGENCY**

<u>Sponsor(s)</u>	<u>Committee Report</u>	<u>Amendments Adopted</u>
WADSWORTH N LUCHINI L	OTP-AM	H-5

This bill extends the duration of a liquor license issued to an incorporated civic organization from seven days to 10 days.

Committee Amendment "A" (H-5)

This amendment adds an emergency preamble and emergency clause to the bill.

Enacted Law Summary

Public Law 2019, chapter 8 extends the duration of a liquor license issued to an incorporated civic organization from seven days to 10 days. Public Law 2019, chapter 8 was enacted as an emergency measure effective March 25,

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2019.

LD 131 An Act To Permit a Veterans Organization To Lease Its Facility to an Organization That Is Registered To Operate Beano or Bingo Games without Obtaining a Commercial Beano Hall Permit

**PUBLIC 24
EMERGENCY**

<u>Sponsor(s)</u>	<u>Committee Report</u>	<u>Amendments Adopted</u>
BRYANT M DESCHAMBAULT S	OTP-AM	H-16

This bill exempts a veterans organization from the requirement to obtain a commercial beano hall permit in order to lease its facility to an organization registered to operate "beano" or "bingo" games.

Committee Amendment "A" (H-16)

This amendment adds an emergency preamble and emergency clause to the bill and makes technical changes to the statutes governing "beano" and "bingo." The amendment clarifies that a charitable, educational, political, civic, recreational, fraternal, patriotic, religious or veterans organization that seeks to obtain a registration to conduct "beano" or "bingo" must be a bona fide nonprofit organization.

Enacted Law Summary

Public Law 2019, chapter 24 exempts a veterans organization from the requirement to obtain a commercial beano hall permit in order to lease its facility to an organization registered to operate "beano" or "bingo" games. It also makes a technical change to the statutes governing "beano" and "bingo" to clarify that a charitable, educational, political, civic, recreational, fraternal, patriotic, religious or veterans organization that seeks to obtain a registration to conduct "beano" or "bingo" games must be a bona fide nonprofit organization.

Public Law 2019, chapter 24 was enacted as an emergency measure effective April 11, 2019.

LD 158 An Act To Amend the Laws Governing Beano

PUBLIC 56

<u>Sponsor(s)</u>	<u>Committee Report</u>	<u>Amendments Adopted</u>
FARRIN B NADEAU C	OTP-AM	S-42

This bill removes the requirement that beano games conducted by organizations such as volunteer fire departments, agricultural fair associations and nonprofit, charitable, educational, political, civic, recreational, fraternal, patriotic, religious or veterans' organizations be conducted by members of those organizations and instead requires that beano games conducted by these organizations be conducted in the presence of at least one member of the organization.

Committee Amendment "A" (S-42)

This amendment strikes and replaces the bill. Like the bill, the amendment removes the requirement in current law that beano or bingo games conducted by an organization such as a volunteer fire department, agricultural fair association or nonprofit association must be conducted entirely by members of the organization. Under the amendment, the beano or bingo games must be conducted under the exclusive control of an adult member of the organization, who may be assisted by other individuals. The amendment defines "member" to mean an individual duly admitted as a member according to the laws, rules, regulations, ordinances or bylaws governing the organization.

The amendment also makes a technical change to the laws governing beano and bingo to clarify that a charitable,

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educational, political, civic, recreational, fraternal, patriotic, religious or veterans' organization that seeks to obtain a registration to conduct beano or bingo must be a bona fide nonprofit organization.

Enacted Law Summary

Public Law 2019, chapter 56 removes the requirement in current law that beano or bingo games conducted by an organization such as a volunteer fire department, agricultural fair association or nonprofit association must be conducted entirely by members of the organization. The beano or bingo games must be conducted under the exclusive control of an adult member of the organization, who may be assisted by other individuals. A "member" of an organization is defined as an individual duly admitted as a member according to the laws, rules, regulations, ordinances or bylaws governing the organization.

Public Law 2019, chapter 56 also makes a technical change to the laws governing beano and bingo to clarify that a charitable, educational, political, civic, recreational, fraternal, patriotic, religious or veterans' organization that seeks to obtain a registration to conduct beano or bingo games must be a bona fide nonprofit organization.

LD 171 Resolve, To Establish a Pilot Project To Evaluate and Address the CARRIED OVER
Transportation Needs of Maine's Veterans

<u>Sponsor(s)</u>	<u>Committee Report</u>	<u>Amendments Adopted</u>
SHEATS B CARSON B	OTP-AM	H-116

This resolve establishes a 30-month pilot project in Oxford, Franklin and Androscoggin counties to provide transportation to veterans and their caregivers or dependents to and from employment or employment-related services, medical appointments, mental health services, social services and community activities.

Committee Amendment "A" (H-116)

This amendment adds an appropriations and allocations section.

This resolve was reported out of committee and then carried over to any special or regular session, or both, of the 129th Legislature on the Special Appropriations Table by joint order, H.P. 1322.

LD 184 An Act To Amend the Veterans' Homelessness Prevention Coordination PUBLIC 504
Program EMERGENCY

<u>Sponsor(s)</u>	<u>Committee Report</u>	<u>Amendments Adopted</u>
DEVEAU J FARRIN B	OTP-AM	H-117 S-325 BREEN C

This bill repeals and replaces the provisions of law regarding veterans' homelessness prevention coordination. Unlike current law, which requires the Director of the Bureau of Maine Veterans Services to establish a single partnership to conduct the program with a national veterans services organization that has been in existence for at least 30 years, the bill allows the director to establish multiple partnerships with human services-based veterans organizations that have been active in the State for at least two years, with priority given to organizations founded, chartered or organized in Maine. It changes the order of priorities for the partnerships, prioritizing identifying and securing temporary or permanent living space for veterans within the veterans' communities over conducting annual outreach events. It also establishes a nonlapsing fund to support services for homeless veterans and directs Bureau of Maine Veterans' Services to collaborate with the Department of Economic and Community Development to distribute any funds.

Committee Amendment "A" (H-117)

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This amendment strikes and replaces the bill and does the following:

1. Directs the Director of the Bureau of Maine Veterans' Services to establish a program of partnerships, through one or more collaborative agreements, with human services-based volunteer organizations to provide transitional housing to homeless veterans and coordinate efforts to remedy and prevent homelessness among veterans in this State;
2. Provides that one of the priorities of the partnerships is to provide reimbursement to human services-based volunteer organizations that provide transitional housing to homeless veterans pursuant to collaborative agreements;
3. Authorizes the Bureau of Maine Veterans' Services to adopt rules necessary to implement this partnership program, including to define "veterans" for purposes of the program, to govern collaborative agreements with human services-based volunteer organizations and to govern the reimbursement of organizations that provide transitional housing to homeless veterans through disbursements from the Veterans' Homelessness Prevention Partnership Fund;
4. Establishes the Veterans' Homelessness Prevention Partnership Fund and provides that it is to be used to reimburse human services-based volunteer organizations that provide transitional housing to homeless veterans and to otherwise carry out the purposes of the partnership program;
5. Provides \$600,000 in annual, ongoing funding for reimbursement to human services-based volunteer organizations that provide transitional housing to homeless veterans;
6. Creates two new positions in the Bureau of Maine Veterans' Services to help administer this partnership program; and
7. Includes an emergency preamble and clause.

Senate Amendment "A" To Committee Amendment "A" (S-325)

This amendment reduces the ongoing funding provided in the appropriations and allocations section to \$100,000 per year and, instead of creating two new positions in the Bureau of Maine Veterans' Services, it creates one new part-time position to help administer the partnership program.

Enacted Law Summary

Public Law 2019, chapter 504 does the following:

1. Directs the Director of the Bureau of Maine Veterans' Services to establish a program of partnerships, through one or more collaborative agreements, with human services-based volunteer organizations to provide transitional housing to homeless veterans and coordinate efforts to remedy and prevent homelessness among veterans in this State;
2. Provides that one of the priorities of the partnerships is to provide reimbursement to human services-based volunteer organizations that provide transitional housing to homeless veterans pursuant to collaborative agreements;
3. Authorizes the Bureau of Maine Veterans' Services to adopt rules necessary to implement this partnership program, including to define "veterans" for purposes of the program, to govern collaborative agreements with human services-based volunteer organizations and to govern the reimbursement of organizations that provide transitional housing to homeless veterans through disbursements from the Veterans' Homelessness Prevention Partnership Fund;
4. Establishes the Veterans' Homelessness Prevention Partnership Fund and provides that it is to be used to reimburse human services-based volunteer organizations that provide transitional housing to homeless veterans and

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to otherwise carry out the purposes of the partnership program; and

5. Provides \$100,000 in annual, ongoing funding for reimbursement to human services-based volunteer organizations that provide transitional housing to homeless veterans and creates a new part-time position in the Bureau of Maine Veterans' Services to help administer this partnership program.

Public Law 2019, chapter 504 was enacted as an emergency measure effective June 28, 2019.

**LD 186 RESOLUTION, Proposing an Amendment to the Constitution of Maine
To Specify the Qualifications of Electors Died Between
Houses**

<u>Sponsor(s)</u>	<u>Committee Report</u>	<u>Amendments Adopted</u>
FAULKINGHAM B GUERIN S	ONTP OTP-AM	

This resolution proposes to amend Article II, section 1 of the Constitution of Maine to specify that only a person who is a citizen of the United States may vote in a state, county or municipal or other local election. Compare LD 1372.

Committee Amendment "A" (H-531)

This amendment, which is the minority report of the committee, incorporates a fiscal note. This amendment was adopted in the Senate but not in the House.

**LD 202 An Act To Increase the Required Number of Qualifying Contributions
Gubernatorial Candidates Must Obtain To Qualify as Maine Clean
Election Act Candidates Accepted Majority
(ONTP) Report**

<u>Sponsor(s)</u>	<u>Committee Report</u>	<u>Amendments Adopted</u>
STOVER H	ONTP OTP-AM	

This bill increases from 3,200 to 6,000 the number of qualifying contributions a gubernatorial candidate must collect from registered voters to be certified as a Maine Clean Election Act candidate.

Committee Amendment "A" (H-15)

This amendment, which is the minority report of the committee, incorporates a fiscal note.

This amendment was not adopted.

**LD 211 An Act To Open Maine's Primaries and Permit Unenrolled Voters To
Cast Ballots in Primary Elections Accepted Majority
(ONTP) Report**

<u>Sponsor(s)</u>	<u>Committee Report</u>	<u>Amendments Adopted</u>
ACKLEY K CHENETTE J	ONTP OTP-AM	

This bill allows an unenrolled voter to vote in a primary election without having to enroll in a political party. An unenrolled voter may vote in only one party's primary election.

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Committee Amendment "A" (H-312)

This amendment, which is the minority report of the committee, retains the provisions of the bill that allow an unenrolled voter to vote in a single party's primary election without having to enroll in a political party.

Under current law, a voter who changes enrollment from one political party to another political party may not vote in any caucus, convention or primary election for 15 days after changing enrollment, unless the voter changes the voter's voting residence at the same time that the voter changes political party enrollment. This amendment similarly prohibits a voter who withdraws from a political party from voting in any caucus, convention or primary election for 15 days after withdrawing, unless the voter changes the voter's voting residence at the same time that the voter withdraws from a political party.

This amendment also requires an election clerk to record on the incoming voting list which party's primary ballot, if any, is requested by and issued to an unenrolled voter during a primary election. After the primary election, this information must be entered in the central voter registration system.

This amendment further provides that the effective date of this legislation is July 1, 2021.

This amendment was not adopted.

LD 217 An Act To Aid Certain Veterans' Organizations

PUBLIC 44

<u>Sponsor(s)</u>	<u>Committee Report</u>	<u>Amendments Adopted</u>
SYLVESTER M	OTP-AM	H-39 H-61 SYLVESTER M

This bill allows a veterans' organization that has a valid license to sell liquor and is located either in a municipality with fewer than 5,000 residents or on a coastal island that is provided with ferry service pursuant to state law to sell liquor to the general public at the discretion of the Commissioner of Administrative and Financial Services. Sales to the general public are subject to the time-of-day and seasonal limitations defined at the time of license approval.

Committee Amendment "A" (H-39)

This amendment permits only a licensed veterans' organization that is located on an island off the coast of the State that is provided with ferry service pursuant to state law to sell liquor to the general public at the discretion of and by agreement with the Department of Administrative and Financial Services, Bureau of Alcoholic Beverages and Lottery Operations, instead of the Commissioner of Administrative and Financial Services.

House Amendment "A" (H-61)

This amendment prohibits smoking on the premises at which a licensed veterans' organization sells liquor to the general public during the time the general public is invited or allowed to be present.

Enacted Law Summary

Public Law 2019, chapter 44 allows a veterans' organization that has a valid license to sell liquor and is located on an coastal island that is provided with ferry service pursuant to state law to sell liquor to the general public at the discretion of and by agreement with the Department of Administrative and Financial Services, Bureau of Alcoholic Beverages and Lottery Operations. Sales to the general public are subject to the time-of-day and seasonal limitations defined at the time of license approval and smoking is prohibited on the premises during the time the general public is invited or allowed to be present.

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LD 218 An Act To Prohibit a Person from Collecting Contributions under the ONTP
Maine Clean Election Act at a Polling Place

<u>Sponsor(s)</u>	<u>Committee Report</u>	<u>Amendments Adopted</u>
CAMPBELL D GRATWICK G	ONTP	

This bill prohibits the solicitation, acceptance or collection by a participating candidate under the Maine Clean Election Act of seed money contributions or qualifying contributions within 250 feet of the entrance to a voting place as well as within the voting place itself.

A prohibition on improperly influencing voters at a polling place or within 250 feet of the entrance to a polling place on Election Day with respect to an office that is on the ballot for the election that day, which effectively prohibits the solicitation or acceptance of campaign contributions by both traditionally financed candidates and Maine Clean Election Act candidates running for offices that appear on the ballot, was enacted as part of Public Law 2019, chapter 371 (LD 1730).

LD 245 An Act To Reestablish a Presidential Primary System in Maine ONTP

<u>Sponsor(s)</u>	<u>Committee Report</u>	<u>Amendments Adopted</u>
LUCHINI L MOONEN M	ONTP	

This bill makes permanent the temporary provisions in law for presidential primaries that were repealed on December 1, 2018. Under the bill, if a state party committee certifies that there is a contest among its candidates for president, the Secretary of State must set the date of the presidential primary election, which must be held on a Tuesday in March. To be included on the primary ballot, candidates for the presidential primary must submit petitions signed by between 2,000 and 3,000 registered voters enrolled in the candidate's party to the Secretary of State by December 21 of the year prior to the primary election.

A separate bill proposing to establish a presidential primary in Maine (LD 1626) was enacted as Public Law 2019, chapter 445.

LD 252 RESOLUTION, Proposing an Amendment to the Constitution of Maine Accepted Majority
To Prohibit New or Increased Fees or Taxes by Means of Direct (ONTP) Report
Initiatives of Legislation

<u>Sponsor(s)</u>	<u>Committee Report</u>	<u>Amendments Adopted</u>
TIMBERLAKE J DILLINGHAM K	ONTP OTP-AM	

This resolution proposes to amend Article IV, part 3, section 18 of the Constitution of Maine to prohibit the imposition of any new or increased taxes or fees through the direct initiative process.

Committee Amendment "A" (S-23)

This amendment, which is the minority report of the committee, incorporates a fiscal note.

This amendment was not adopted.

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**LD 253 An Act To Clarify the Requirements for High-hand Competitions in
Games of Chance Tournament Games**

PUBLIC 119

<u>Sponsor(s)</u>	<u>Committee Report</u>	<u>Amendments Adopted</u>
BELLOWS S HICKMAN C	OTP-AM	S-64

This bill removes the \$5 bet limit for a winner-take-all hand that is conducted during a tournament involving a card game that is a game of chance.

Committee Amendment "A" (S-64)

This amendment replaces the bill and changes the title. It removes the authority in current law for one winner-take-all-hand to be conducted during a tournament involving a card game that is a game of chance and instead authorizes licensees to conduct one high-hand competition per tournament. Under the amendment, a "high-hand competition" is defined as an optional game of chance conducted during a tournament game in which the winner is the person who plays the highest hand of cards, according to the rules of the tournament, during the tournament game. Participation in the high-hand competition must be determined prior to the start of the tournament and the total number of bets received in a high-hand competition must be awarded to the winner or, in the case of multiple winners, divided among them as evenly as possible.

The amendment also authorizes the payment of tournament game prizes and high-hand competition prizes either in cash or by check.

Enacted Law Summary

Public Law 2019, chapter 119 removes the authority in current law for one winner-take-all-hand to be conducted during a tournament involving a card game that is a game of chance and instead authorizes licensees to conduct one high-hand competition per tournament. A "high-hand competition" is defined as an optional game of chance conducted during a tournament game in which the winner is the person who plays the highest hand of cards, according to the rules of the tournament, during the tournament game. Participation in the high-hand competition must be determined prior to the start of the tournament and the total number of bets received in a high-hand competition must be awarded to the winner or, in the case of multiple winners, divided among them as evenly as possible.

Public Law 2019, chapter 119 also authorizes the payment of tournament game prizes and high-hand competition prizes either in cash or by check.

**LD 254 An Act To Clarify Liquor Label Approval and Registration
Requirements**

PUBLIC 46

<u>Sponsor(s)</u>	<u>Committee Report</u>	<u>Amendments Adopted</u>
DILL J DUNPHY M	OTP-AM	S-27

This bill requires that all malt liquor, wine and low-alcohol spirits products imported to, exported from or sold in Maine bear a label approved by the United States Department of the Treasury, Alcohol and Tobacco Tax and Trade Bureau unless the malt liquor, wine or low-alcohol spirits products are manufactured in Maine and are not shipped, distributed or sold in interstate commerce.

The bill also requires manufacturers to register the labels of all malt liquor, wine and low-alcohol spirits products sold in the State with the Department of Administrative and Financial Services, Bureau of Alcoholic Beverages and

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Lottery Operations unless the malt liquor, wine or low-alcohol spirits products are sold by a Maine manufacturer directly to consumers for on-premises consumption or in a keg to a Maine retailer licensed to sell liquor for on-premises consumption. The Bureau of Alcoholic Beverages and Lottery Operations is required to adopt rules establishing requirements for label registration that are consistent with the regulations promulgated by the United States Department of the Treasury, Alcohol and Tobacco Tax and Trade Bureau pursuant to the Federal Alcohol Administration Act, 27 United States Code, Section 205(e).

Committee Amendment "A" (S-27)

This amendment clarifies that the liquor label approval and registration requirements in the bill apply to hard cider as well as to malt liquor, wine and low-alcohol spirits products.

The amendment further exempts Maine manufacturers from the requirement to register the labels of all malt liquor, wine, hard cider and low-alcohol spirits products with the Department of Administrative and Financial Services, Bureau of Alcoholic Beverages and Lottery Operations if those products are given as complimentary samples to consumers or sold to customers as samples.

Enacted Law Summary

Public Law 2019, chapter 46 requires that all malt liquor, wine, hard cider and low-alcohol spirits products imported to, exported from or sold in Maine bear a label approved by the United States Department of the Treasury, Alcohol and Tobacco Tax and Trade Bureau unless the malt liquor, wine, hard cider or low-alcohol spirits products are manufactured in Maine and are not shipped, distributed or sold in interstate commerce.

Public Law 2019, chapter 46 also requires manufacturers to register the labels of all malt liquor, wine, hard cider and low-alcohol spirits products sold in the State with the Department of Administrative and Financial Services, Bureau of Alcoholic Beverages and Lottery Operations unless the malt liquor, wine, hard cider or low-alcohol spirits products are given by a Maine manufacturer directly to consumers as complimentary samples or sold by a Maine manufacturer directly to consumers for on-premises consumption or in a keg to a Maine retailer licensed to sell liquor for on-premises consumption. The Bureau of Alcoholic Beverages and Lottery Operations is required to adopt rules establishing requirements for label registration that are consistent with the regulations promulgated by the United States Department of the Treasury, Alcohol and Tobacco Tax and Trade Bureau pursuant to the Federal Alcohol Administration Act, 27 United States Code, Section 205(e).

**LD 255 Resolution, Proposing an Amendment to the Constitution of Maine To
Require That Signatures on a Direct Initiative of Legislation Come from
Each Congressional District**

**Died Between
Houses**

<u>Sponsor(s)</u>	<u>Committee Report</u>	<u>Amendments Adopted</u>
FARRIN B STETKIS J	OTP-AM ONTP	S-247

This resolution proposes to amend Article IV, part 3, section 18 of the Constitution of Maine to require that the signatures on a petition to directly initiate legislation be collected from each of the State's two congressional districts; the number of signatures collected from each congressional district must be not less than 10% of the total vote for Governor cast in that congressional district in the previous gubernatorial election. The resolution further provides that, if the resolution is ratified by the voters, this constitutional amendment becomes part of the Constitution of Maine on March 1, 2020. Compare LD 374.

Committee Amendment "A" (S-247)

This amendment, which is the majority report of the committee, incorporates a fiscal note.

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LD 256 An Act To Ensure Responsible Operation of Political Action Committees

PUBLIC 21

<u>Sponsor(s)</u>	<u>Committee Report</u>	<u>Amendments Adopted</u>
CHENETTE J SCHNECK J	OTP-AM ONTP	S-6

Current law prohibits a political action committee from compensating a Legislator or a business owned or operated by the legislator if the legislator is a principal officer or treasurer of the committee or one of the individuals primarily responsible for raising contributions or making decisions for the committee. This bill further prohibits such a political action committee from making loans or gifts to a business owned or operated by the legislator and prohibits commingling the funds of such a political action committee with the personal funds of the legislator or the funds of a business owned or operated by the legislator.

Committee Amendment "A" (S-6)

This amendment is the majority report of the committee and changes the title of the bill.

Enacted Law Summary

Public Law 2019, chapter 21 prohibits certain political action committees from making loans or gifts to a business owned or operated by a legislator and from commingling committee funds with the personal funds of a legislator or the funds of a business owned or operated by a legislator. The prohibitions in Public Law 2019, chapter 21 apply to a political action committee if the relevant legislator is a principal officer or treasurer of the political action committee or if the relevant legislator is one of the individuals primarily responsible for raising contributions for the political action committee.

LD 272 An Act To Allow Voting by Mail

ONTP

<u>Sponsor(s)</u>	<u>Committee Report</u>	<u>Amendments Adopted</u>
MIRAMANT D	ONTP	

This bill requires that, beginning November 1, 2020, all primary and general elections for President of the United States, United States Senator, United States Representative to Congress, Governor, State Senator and State Representative as well as all elections on people's veto questions, initiated measures, bond issues, constitutional amendments and other legislatively proposed referenda be conducted by mail. The bill also establishes the Commission to Implement Voting by Mail to make recommendations, including proposed legislation, to the Joint Standing Committee on Veterans and Legal Affairs, which may report out legislation to the Second Regular Session of the 129th Legislature for implementing voting by mail.

LD 293 An Act Regarding Early Voting in Person

ONTP

<u>Sponsor(s)</u>	<u>Committee Report</u>	<u>Amendments Adopted</u>
PIERCE T BREEN C	ONTP	

This bill allows for municipalities to conduct early voting in person during the same period as is permitted for absentee voting. Early voting takes place in the municipal offices with the same requirements and restrictions regarding voting places, voting booths, ballot boxes and ballot challenges as apply to regular voting. At the end of

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early voting, the municipal clerk delivers the sealed ballot boxes to the voting place as presently required by law. Compare LD 619.

LD 294 An Act To Require the Fiscal Impact Estimate of a Direct Initiative of Legislation To Be Included on the Ballot ONTP

<u>Sponsor(s)</u>	<u>Committee Report</u>	<u>Amendments Adopted</u>
MORRIS J	ONTP	

This bill provides that a ballot for a statewide vote on a direct initiative must include a summary of the fiscal impact estimate prepared by the Office of Fiscal and Program Review for that direct initiative.

LD 322 An Act To Strengthen Maine's Election Laws by Requiring Photographic Identification for the Purpose of Voting Accepted Majority (ONTP) Report

<u>Sponsor(s)</u>	<u>Committee Report</u>	<u>Amendments Adopted</u>
CEBRA R	ONTP OTP-AM	

This bill requires that a voter provide proof of identity with photographic identification approved by the Secretary of State by rule for the purpose of voting.

Committee Amendment "A" (H-94)

This amendment, which is the minority report of the committee, strikes and replaces the bill and adds a mandate preamble. The amendment requires that a voter provide proof of identity with photographic identification for the purpose of voting. The amendment specifies the types of photographic identification that may be used to verify the identity of a voter. It provides that a person who does not present photographic identification may cast a provisional ballot and establishes the process for provisional voting. Under this process, if the person can verify the person's identity to the municipal clerk, deputy clerk or warden or an election clerk within three business days of the election by presenting acceptable photographic identification, the ballot will be cast as a regular ballot. Through the general election of 2020, a person who does not present acceptable photographic identification but is known to a municipal clerk, registrar or election official at the voting place may cast a regular ballot upon submission of an affidavit by the municipal clerk, registrar or election official attesting to the person's identity. Finally, the amendment requires the Secretary of State to provide, at no fee, nondriver identification cards to eligible persons who do not have another form of acceptable photographic identification to verify identity for the purpose of voting.

The amendment also adds an appropriations and allocations section.

This amendment was not adopted.

LD 352 An Act Regarding Licensing Fees for Certain Tournament Games PUBLIC 63

<u>Sponsor(s)</u>	<u>Committee Report</u>	<u>Amendments Adopted</u>
SKOLFIELD T BLACK R	OTP-AM ONTP	H-95

This bill waives the license fees for game of chance tournaments with fewer than 50 players conducted by veterans' organizations.

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Committee Amendment "A" (H-95)

This amendment, which is the majority report of the committee, reduces the license fees for games of chance tournaments with fewer than 50 players.

Enacted Law Summary

Public Law 2019, chapter 63 reduces the license fees for games of chance tournaments with fewer than 50 players.

LD 361 An Act To Amend the Laws Governing Political Action Committees

Accepted Majority
(ONTP) Report

<u>Sponsor(s)</u>	<u>Committee Report</u>	<u>Amendments Adopted</u>
CHENETTE J SYLVESTER M	ONTP OTP	

This bill prohibits a legislative candidate from establishing a political action committee for which the candidate is a treasurer or principal officer or for which the candidate is primarily responsible for fund-raising or decision making. The bill also makes a change to a provision under the Maine Clean Election Act, which includes the same prohibition, to specify that the prohibition in that Act applies only to participating gubernatorial candidates and certified gubernatorial candidates because participating and certified legislative candidates are included under the more general prohibition created by the bill.

LD 365 An Act To Allow Flexible Business Hours for Certain Agency Liquor Stores

PUBLIC 48

<u>Sponsor(s)</u>	<u>Committee Report</u>	<u>Amendments Adopted</u>
KEIM L SCHNECK J	OTP-AM	S-22

This bill allows an agency liquor store flexibility in setting seasonal hours if the agency liquor store is subject to a substantial seasonal variation in business or retail customers based upon tourism or other factors.

Committee Amendment "A" (S-22)

This amendment requires an agency liquor store that establishes seasonal hours as allowed by the bill to send a written notice to the Department of Administrative and Financial Services, Bureau of Alcoholic Beverages and Lottery Operations of those seasonal hours.

Enacted Law Summary

Public Law 2019, chapter 48 grants an agency liquor store the flexibility to set seasonal hours if the agency liquor store is subject to a substantial seasonal variation in business or retail customers based upon tourism or other factors. An agency liquor store that establishes seasonal hours must send a written notice to the Department of Administrative and Financial Services, Bureau of Alcoholic Beverages and Lottery Operations, of those seasonal hours.

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**LD 374 RESOLUTION, Proposing an Amendment to the Constitution of Maine
To Require That Signatures on a Direct Initiative of Legislation Come
from Each State Senatorial District** **Accepted Majority
(ONTP) Report**

<u>Sponsor(s)</u>	<u>Committee Report</u>	<u>Amendments Adopted</u>
STEWART T	ONTP OTP-AM	

This resolution proposes to amend Article IV, part 3, section 18 of the Constitution of Maine to require that the signatures on a petition to directly initiate legislation be collected from each of the State's senate districts; the number of signatures collected from each senate district must be not less than 10% of the total vote for Governor cast in that senate district in the previous gubernatorial election. The resolution further provides that, if the resolution is ratified by the voters, this constitutional amendment becomes part of the Constitution of Maine on March 1, 2020. Compare LD 255.

Committee Amendment "A" (H-41)

This amendment, which is the minority report of the committee, incorporates a fiscal note.

This amendment was not adopted.

**LD 411 Resolve, Directing the Commission on Governmental Ethics and
Election Practices To Allow Maine Clean Election Act Funds To Be Used
for Election Recounts** **ONTP**

<u>Sponsor(s)</u>	<u>Committee Report</u>	<u>Amendments Adopted</u>
RISEMAN W	ONTP	

This resolve directs the Commission on Governmental Ethics and Election Practices to amend its rules no later than October 1, 2020 to allow a certified candidate under the Maine Clean Election Act to use money disbursed from the Maine Clean Election Fund for expenses related to an election recount.

Because the prohibition in rule against using money disbursed from the Maine Clean Election Fund for recount expenses derives from Title 21-A, section 1018-B of the Maine Revised Statutes, this resolution would not have been effective if adopted. Compare LD 1686.

LD 418 An Act To Implement the National Popular Vote for President **ONTP**

<u>Sponsor(s)</u>	<u>Committee Report</u>	<u>Amendments Adopted</u>
RYKERSON D CHENETTE J	ONTP	

This bill proposes to adopt an interstate compact to elect the President of the United States by national popular vote. Under the compact, the presidential candidate who receives the most popular votes in all 50 states and the District of Columbia is elected President. Under the compact, all of a state's electoral votes would be awarded to the presidential candidate who receives the most popular votes in all 50 states and the District of Columbia. This bill takes effect only if enacted by states possessing a majority of the electoral votes, that is, enough electoral votes to elect a President, which is 270 of 538. See also LD 816.

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**LD 499 An Act To Collect Data Regarding How Payment Is Made for Collection
of Signatures for Direct Initiatives and People's Veto Referendums**

PUBLIC 456

<u>Sponsor(s)</u>	<u>Committee Report</u>	<u>Amendments Adopted</u>
GUERIN S SCHNECK J	OTP-AM ONTP	S-232

This bill prohibits the circulator or person who causes the circulation of a direct initiative or people's veto referendum petition or a petition organization from receiving payment for the collection of signatures based on the number of signatures collected. The bill clarifies that a salary or fee for the collection of signatures is not prohibited if it is not based on the number of signatures collected.

Committee Amendment "A" (S-232)

This amendment is the majority report of the committee. The amendment replaces the title and the bill and strengthens the integrity of the direct initiative and people's veto referendum process by requiring a petition circulator to submit an affidavit that includes the circulator's name, the address at which the circulator resides and the date the circulator signed the affidavit; that the circulator read the information provided by the Secretary of State and understand the laws governing the circulation of petitions in Maine; that the circulator be a resident of Maine and a registered voter in Maine at the time of circulating the petition; and that the circulator understand that the circulator can be prosecuted for violating the laws governing the circulation of petitions, including the requirement that a circulator truthfully execute the affidavit. The amendment also requires petition organizations and others to indicate the method by which they are compensating any individuals hired to assist in circulating petitions.

Enacted Law Summary

Public Law 2019, chapter 456 strengthens the integrity of the direct initiative and people's veto referendum process by requiring a petition circulator to submit an affidavit that includes the circulator's name, the address at which the circulator resides and the date the circulator signed the affidavit; that the circulator read the information provided by the Secretary of State and understand the laws governing the circulation of petitions in Maine; that the circulator was a resident of Maine and a registered voter in Maine at the time of circulating the petition; and that the circulator understand that the circulator can be prosecuted for violating the laws governing the circulation of petitions, including the requirement that a circulator truthfully execute the affidavit. The amendment also requires petition organizations and others to indicate the method by which they are compensating any individuals hired to assist in circulating petitions.

**LD 501 An Act To Provide Funding for the Homeless Veterans Center in
Caribou**

ONTP

<u>Sponsor(s)</u>	<u>Committee Report</u>	<u>Amendments Adopted</u>
JACKSON T DEVEAU J	ONTP	

This bill provides a one-time appropriation of \$200,000 to the homeless veterans center in Caribou.

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**LD 510 An Act To Authorize Funding for Transitional Housing for Women
Veterans and Their Families**

CARRIED OVER

<u>Sponsor(s)</u>	<u>Committee Report</u>	<u>Amendments Adopted</u>
SHEATS B HERBIG E	OTP-AM	H-118

This bill provides a one-time General Fund appropriation of \$150,000 in fiscal year 2019-20 to the Department of Defense, Veterans and Emergency Management for the Betsy Ann Ross House of Hope to provide suitable housing for women veterans in transition and their families.

Committee Amendment "A" (H-118)

This amendment adds an emergency preamble and emergency clause to the bill and moves the appropriation to fiscal year 2018-19.

This bill was reported out of committee and then carried over to any special or regular session, or both, of the 129th legislature on the Special Appropriations Table by joint order, H.P. 1322.

**LD 514 An Act To Amend the Laws Governing the Political Party
Representation of Election Clerks**

PUBLIC 64

<u>Sponsor(s)</u>	<u>Committee Report</u>	<u>Amendments Adopted</u>
SCHNECK J GRATWICK G	OTP-AM ONTP	H-93

This bill requires election clerks in a municipality to be selected so that 33% of clerks are from one major party and 33% from another major party, with 34% of clerks being selected without regard to party enrollment.

Committee Amendment "A" (H-93)

This amendment, which is the majority report of the committee, strikes and replaces the bill. This amendment changes the process for selection of election clerks and clarifies other provisions regarding election clerks. Specifically, the amendment retains the provision in current law allowing parties to nominate election clerks but also allows the municipal clerk or any registered voter to make nominations. Like current law, the amendment directs timely consideration of nominations but, unlike current law, it does not require municipal officers to appoint the election clerks from among nominees and instead allows them to appoint any qualified voter. Under the amendment, the minimum requirement is two election clerks at each voting place, one each from the two major parties. The amendment requires that at least one-half of the election clerks working at any election be affiliated with the major parties, the remaining election clerks may be affiliated with a minor party or be unenrolled.

The amendment 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.

Enacted Law Summary

Public Law 2019, chapter 64 changes the process for selection of election clerks and clarifies other provisions regarding election clerks. It retains the provision in current law allowing parties to nominate election clerks but adds authority for the municipal clerk or any registered voter to make nominations. Like current law, Public Law 2019, chapter 64 directs timely consideration of nominations but unlike current law it does not require municipal

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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.

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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>
LUCINI 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

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sports wagering to effectively conduct sports wagering on behalf of operators. A person employed by a facility sports wagering licensee to be engaged directly in sports wagering-related activities must be licensed by the Gambling Control Unit.

Operators may accept wagers on professional, collegiate and amateur sports events, including international events, as well as on the individual performances of athletes, on motor vehicle races and on electronic sports. Sports wagers are prohibited on high school events, other events where a majority of participants are less than 18 years of age and events involving Maine-based colleges and universities. Operators may not accept sports wagers from individuals under 21 years of age; participants in the sports event, including athletes and officials; persons with an interest in the outcome of the sports event identified by the director by rule; the operator's own directors or employees or persons living in their households; persons voluntarily or involuntarily placed on a list maintained by the Gambling Control Unit within the Department of Public Safety of persons not authorized to make sports wagers; third persons making wagers on behalf of another person; and Gambling Control Unit employees. Mobile sports wagering licensees are also prohibited from accepting sports wagers from persons who are not physically located within the State.

A facility sports wagering licensee must remit 10% of the licensee's adjusted gross sports wagering receipts to the State and a mobile sports wagering licensee must remit 16% of the licensee's adjusted gross sports wagering receipts to the State. One percent of adjusted gross sports wagering receipts must be deposited in the General Fund for the administrative expenses of the Gambling Control Unit within the Department of Public Safety and 1% of the adjusted gross sports wagering receipts must be deposited in the Gambling Addiction Prevention and Treatment Fund established by the Maine Revised Statutes, Title 5, section 20006-B. The remaining adjusted gross sports wagering receipts remitted to the State must be deposited in the General Fund.

The amendment also allows a licensed fantasy contest operator to offer a fantasy contest based on the performances of participants in collegiate athletic events and adds an appropriations and allocations section.

Committee Amendment "B" (S-319)

This amendment, which is one of two minority reports of the committee, strikes and replaces the bill, which is a concept draft. This amendment authorizes the Department of Public Safety, Gambling Control Unit to regulate sports wagering in the State through a regulatory framework identical to the framework set forth in the majority report, except that only licensed commercial tracks, licensed off-track betting facilities, licensed casinos and federally recognized Indian tribes are eligible to obtain mobile sports wagering licenses, not 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.

This amendment was not adopted.

LD 619 RESOLUTION, Proposing an Amendment to the Constitution of Maine CARRIED OVER
Regarding Early Voting

<u>Sponsor(s)</u>	<u>Committee Report</u>	<u>Amendments Adopted</u>
SCHNECK J LUCHINI L	OTP-AM ONTP	H-42

This resolution proposes to amend Article II, section 4 of the Constitution of Maine to allow the Legislature to authorize a process by which municipalities may conduct early voting by allowing voters to vote in the same manner as on election day during a period immediately preceding an election and to allow absentee voting for any sufficient reason. Compare LD 293.

Committee Amendment "A" (H-42)

Joint Standing Committee on Veterans and Legal Affairs

This amendment, which is the majority report of the committee, incorporates a fiscal note.

This resolution was reported out of committee and then carried over to any special or regular session, or both, of the 129th Legislature on the Special Appropriations Table by joint order, H.P. 1322.

LD 631 An Act To Fund the Operations of the Tick Identification Laboratory in the University of Maine Cooperative Extension Diagnostic and Research Laboratory ONTP

<u>Sponsor(s)</u>	<u>Committee Report</u>	<u>Amendments Adopted</u>
DUNPHY M	ONTP	

This bill directs the State Liquor and Lottery Commission, in consultation with the University of Maine Cooperative Extension Pest Management Office, to develop and initiate a \$2 instant lottery game designed to raise funds to support the operation of a diagnostic and research laboratory focused on ticks and tick-borne diseases in the State.

LD 661 An Act To Increase Gaming Opportunities for Charitable Veterans' Organizations CARRIED OVER

<u>Sponsor(s)</u>	<u>Committee Report</u>	<u>Amendments Adopted</u>
MASTRACCIO A HERBIG E		

This bill permits the Department of Public Safety, Gambling Control Board, beginning January 1, 2020, to issue a license to a charitable nonprofit organization that is a veterans' organization that is tax-exempt under the United States Internal Revenue Code of 1986 to operate up to three slot machines on premises that have been owned, rented or leased by the organization for at least two consecutive years, that serve as its primary administrative operations headquarters and that are located in a municipality that has, by referendum of the voters, approved the operation of slot machines in that municipality. The charitable nonprofit veterans' organization must be able to demonstrate that it has a cash reserve of \$1,000 for each machine the organization intends to operate.

A charitable nonprofit veterans' organization that wishes to apply prior to January 1, 2020 may file a declaration of intent to apply with the Gambling Control Board. An application must include a refundable \$2,500 deposit. The initial application fee for a slot machine operator license is \$500, and the annual renewal fee is \$175.

A slot machine operated by a charitable nonprofit veterans' organization is subject to the same central site monitoring that applies to casinos and slot machine facilities at harness racing tracks. The total number of slot machines allowed to be operated by charitable nonprofit veterans' organizations statewide between January 1, 2020 and December 31, 2020 is 80; beginning January 1, 2021 the number increases to 150.

The bill provides that 10% of the net slot machine income from a charitable nonprofit veterans' organization is required to be deposited directly with the Gambling Control Board for administrative expenses; 8% goes directly to the General Fund; 10% goes to the host municipality; and 2% is dedicated to gambling addiction prevention and treatment. A charitable nonprofit veterans' organization that is licensed to operate slot machines is required to establish a separate account, from which the board may withdraw funds to distribute the net revenue percentages. The remaining revenue generated from the slot machines must be used to support the charitable purposes of the veterans' organization.

This bill was carried over to any special or regular session, or both, of the 129th Legislature by joint order, H.P. 1322.

Joint Standing Committee on Veterans and Legal Affairs

LD 667 RESOLUTION, Proposing an Amendment to the Constitution of Maine ONTP
To Require That the Governor Be Elected by a Majority Vote

<u>Sponsor(s)</u>	<u>Committee Report</u>	<u>Amendments Adopted</u>
KESCHL D BLACK R	ONTP	

Under Article V, part I, section 3 of the Constitution of Maine, the candidate who receives a "plurality" of votes, which is the largest number of votes cast, regardless of that number's percentage of the total number of votes cast, is declared the winner of the gubernatorial election. This resolution proposes to amend the Constitution to require that a candidate for Governor receive more than 50% of the votes cast to be elected. When no candidate receives more than 50% of the total number of votes cast, the resolution requires a run-off election between the two persons who received the largest number of votes. The person who receives the larger number of votes in the run-off election is declared Governor. If the run-off election yields a tie, the Maine Senate and House of Representatives must meet in a joint session, conduct a vote between the two run-off candidates and declare the person who receives the most votes at the joint session to be the Governor.

LD 702 An Act Regarding the Pricing of Spirits Leave to Withdraw Pursuant to Joint Rule

<u>Sponsor(s)</u>	<u>Committee Report</u>	<u>Amendments Adopted</u>
LUCHINI L HANDY J		

This bill is a concept draft pursuant to Joint Rule 208 that proposes to enact measures designed to ensure a thorough appeals process relating to the pricing of spirits by the Department of Administrative and Financial Services, Bureau of Alcoholic Beverages and Lottery Operations and the State Liquor and Lottery Commission.

LD 715 An Act To Change the Allocation Formula for Revenue from Slot Machines ONTP

<u>Sponsor(s)</u>	<u>Committee Report</u>	<u>Amendments Adopted</u>
HANDY J CHIPMAN B	ONTP	

This bill is a concept draft pursuant to Joint Rule 208 that proposes to change the allocation of the revenue from slot machines operated by casinos, as established in the Maine Revised Statutes, Title 8, section 1036, subsections 2 and 2-A. This bill would not change the percentage of the net slot machine income being distributed, but would:

1. Return to the allocation formula established in the legislation allowing casinos that was approved at referendum, which would require reducing the funding of certain items, such as the fund to supplement harness racing purses and the Sire Stakes Fund, and eliminating the funding of other items, such as the Fund to Encourage Racing at Maine's Commercial Tracks and the Fund to Stabilize Off-track Betting Facilities. Under this proposal, the 14% of the net slot machine income attributable to the reduction or elimination of those allocations would be distributed elsewhere;
2. Reallocate the net slot machine income among the current receivers of the income, increasing the share of some, such as the Fund for a Healthy Maine, the University of Maine System Scholarship Fund, the Maine Maritime

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Academy and the Maine Community College System, while decreasing the share of others, such as the fund to supplement harness racing purses, and eliminating the share of others, such as the Fund to Encourage Racing at Maine's Commercial Tracks, the Sire Stakes Fund and the Fund to Stabilize Off-track Betting Facilities; or

3. Enact a combination of the two methods and include different recipients.

LD 719 An Act Regarding Adult Use Marijuana

PUBLIC 491

<u>Sponsor(s)</u>	<u>Committee Report</u>	<u>Amendments Adopted</u>
PIERCE T	OTP-AM OTP-AM ONTP	H-657

This bill is a concept draft pursuant to Joint Rule 208 that proposes to amend the Marijuana Legalization Act.

Committee Amendment "A" (H-657)

This amendment, which is the majority report of the committee, changes the title and replaces the bill, which is a concept draft. The amendment:

1. Amends the Maine Food Law to provide that goods that are prepared in a licensed food establishment that is also a licensed adult use marijuana products manufacturing facility and that contain marijuana for adult use pursuant to the Maine Revised Statutes, Title 28-B, are not considered adulterated under the Maine Food Law;
2. Authorizes the Department of Administrative and Financial Services, under the Marijuana Legalization Act, to require a conditionally licensed applicant seeking active licensure under the Marijuana Legalization Act to submit information necessary for the department to determine that the applicant continues to meet all applicable requirements for conditional licensure and authorizes the department to refuse to issue an active license if the applicant no longer meets the requirements for conditional licensure;
3. Clarifies the routine technical rule-making authority of the department under the Marijuana Legalization Act with respect to the adoption of rules regarding the provisional licensure, licensure, certification and accreditation of testing facilities;
4. Amends the Marijuana Legalization Act to authorize entry into limited access areas within a marijuana establishment by contractors of a licensee who do not have an individual identification card as long as certain criteria are met;
5. Amends the Marijuana Legalization Act to authorize the department to determine by rule that, for a particular type of edible marijuana product, the stamping or embossing of a universal symbol on each serving of the product is impracticable and is not required;
6. Amends the Marijuana Legalization Act to authorize the department to impose an administrative hold on a licensee, which may involve imposition of certain operational restrictions on the licensee's license if, as a result of an inspection or investigation, the department determines there are reasonable grounds to believe the licensee has committed or is committing a violation of the Marijuana Legalization Act, the rule adopted pursuant to the Marijuana Legalization Act or the conditions or provisions of the licensee's license. An administrative hold may not be imposed for a period exceeding 30 consecutive days; and
7. Authorizes, subject to the incorporation of specified amendments, final adoption of Chapter 1: Adult Use Marijuana Program, a major substantive rule of the Department of Administrative and Financial Services, office of marijuana policy, that was submitted to the Legislature for review.

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Committee Amendment "B" (H-658)

This amendment, which is the minority report of the committee, changes the title and replaces the bill, which is a concept draft, as follows:

1. Part A provides to the municipalities in which adult use marijuana cultivation facilities and retail stores are located 25% of the excise tax and sales tax from adult use marijuana sales for use in offsetting the negative effects on local resources of local regulation and enforcement of adult use marijuana laws;
2. Part B repeals from the adult use marijuana laws the provision that allows the Department of Administrative and Financial Services to temporarily waive mandatory testing requirements under some circumstances;
3. Part C requires certification of an adult use marijuana testing facility by the United States Department of Health and Human Services, Centers for Disease Control and Prevention and repeals from the law provisional licensure for testing facilities;
4. Part D amends the general licensing criteria for all types of adult use marijuana establishments and requires that all investors and owners, of any type and in any amount, be Maine residents. The amendment repeals from the law an exception that states that the licensing criteria relating to residency do not apply to licensed testing facilities;
5. Part E requires all marijuana and marijuana products to be sold or offered for sale to a consumer to have labels that warn of the connection of marijuana to negative health effects, including but not limited to schizophrenia, mental illness, psychosis, disrupted learning and memory and interruption of the normal development of the brain and other negative health effects as determined by the Department of Health and Human Services, Maine Center for Disease Control and Prevention;
6. Part F:
 - A. Amends the Maine Food Law to provide that goods that are prepared in a licensed food establishment that is also a licensed adult use marijuana products manufacturing facility and that contain marijuana for adult use pursuant to the Maine Revised Statutes, Title 28-B, are not considered adulterated under the Maine Food Law;
 - B. Authorizes the Department of Administrative and Financial Services, under the Marijuana Legalization Act, to require a conditionally licensed applicant seeking active licensure under the Marijuana Legalization Act to submit information necessary for the department to determine that the applicant continues to meet all applicable requirements for conditional licensure and authorizes the department to refuse to issue an active license if the applicant no longer meets the requirements for conditional licensure;
 - C. Clarifies the routine technical rule-making authority of the department under the Marijuana Legalization Act with respect to the adoption of rules regarding the licensure, certification and accreditation of testing facilities;
 - D. Amends the Marijuana Legalization Act to authorize entry into limited access areas within a marijuana establishment by contractors of a licensee who do not have an individual identification card as long as certain criteria are met;
 - E. Amends the Marijuana Legalization Act to authorize the department to determine by rule that, for a

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particular type of edible marijuana product, the stamping or embossing of a universal symbol on each serving of the product is impracticable and is not required; and

F. Amends the Marijuana Legalization Act to authorize the department to impose an administrative hold on a licensee, which may involve imposition of certain operational restrictions on the licensee's license if, as a result of an inspection or investigation, the department determines there are reasonable grounds to believe the licensee has committed or is committing a violation of the Marijuana Legalization Act, the rule adopted pursuant to the Marijuana Legalization Act or the conditions or provisions of the licensee's license. An administrative hold may not be imposed for a period exceeding 30 consecutive days; and

7. Part G authorizes, subject to the incorporation of specified amendments, final adoption of Chapter 1: Adult Use Marijuana Program, a major substantive rule of the Department of Administrative and Financial Services, office of marijuana policy, that was submitted to the Legislature for review.

This amendment was not adopted.

Enacted Law Summary

Public Law 2019, chapter 491 does the following:

1. Amends the Maine Food Law to provide that goods that are prepared in a licensed food establishment that is also a licensed adult use marijuana products manufacturing facility and that contain marijuana for adult use pursuant to the Maine Revised Statutes, Title 28-B, are not considered adulterated under the Maine Food Law;

2. Authorizes the Department of Administrative and Financial Services, under the Marijuana Legalization Act, to require a conditionally licensed applicant seeking active licensure under the Marijuana Legalization Act to submit information necessary for the department to determine that the applicant continues to meet all applicable requirements for conditional licensure and authorizes the department to refuse to issue an active license if the applicant no longer meets the requirements for conditional licensure;

3. Clarifies the routine technical rule-making authority of the department under the Marijuana Legalization Act with respect to the adoption of rules regarding the provisional licensure, licensure, certification and accreditation of testing facilities;

4. Amends the Marijuana Legalization Act to authorize entry into limited access areas within a marijuana establishment by contractors of a licensee who do not have an individual identification card as long as certain criteria are met;

5. Amends the Marijuana Legalization Act to authorize the department to determine by rule that, for a particular type of edible marijuana product, the stamping or embossing of a universal symbol on each serving of the product is impracticable and is not required;

6. Amends the Marijuana Legalization Act to authorize the department to impose an administrative hold on a licensee, which may involve imposition of certain operational restrictions on the licensee's license if, as a result of an inspection or investigation, the department determines there are reasonable grounds to believe the licensee has committed or is committing a violation of the Marijuana Legalization Act, the rule adopted pursuant to the Marijuana Legalization Act or the conditions or provisions of the licensee's license. An administrative hold may not be imposed for a period exceeding 30 consecutive days; and

7. Authorizes, subject to the incorporation of specified amendments, final adoption of Chapter 1: Adult Use Marijuana Program, a major substantive rule of the Department of Administrative and Financial Services, office of marijuana policy, that was submitted to the Legislature for review.

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LD 720 An Act Regarding Maine's Adult Use Marijuana Law

CARRIED OVER

<u>Sponsor(s)</u>	<u>Committee Report</u>	<u>Amendments Adopted</u>
PIERCE T		

This bill is a concept draft pursuant to Joint Rule 208 that proposes to amend the laws governing adult use marijuana in the State.

This bill was carried over to any special or regular session, or both, of the 129th Legislature by joint order, H.P. 1322.

LD 722 An Act To Require Presidential and Vice-Presidential Candidates To Disclose Their Federal Income Tax Returns

Accepted Majority (ONTP) Report

<u>Sponsor(s)</u>	<u>Committee Report</u>	<u>Amendments Adopted</u>
BERRY S BELLOWS S	ONTP OTP	

This bill requires that, in order for a candidate for President or a candidate for Vice President to appear on a general election ballot, the candidate for President or the candidate for Vice President must disclose the previous three years of that candidate's federal income tax returns, which may be redacted by the candidate or the candidate's staff to remove personally identifying information other than the candidate's name. The bill directs the Secretary of State to post the tax returns on the Secretary of State's publicly accessible website. The legislation takes effect only if a sufficient number of states, with a total of at least 100 electoral votes, including Maine's electoral votes, adopt similar legislation.

LD 737 An Act To Update Alcohol Taste-testing Requirements

**PUBLIC 79
EMERGENCY**

<u>Sponsor(s)</u>	<u>Committee Report</u>	<u>Amendments Adopted</u>
STEWART T SANBORN H	OTP-AM	H-119

This bill allows agency liquor stores and off-premises retail licensees to conduct up to three tastings per month of distilled spirits, wine and malt liquor each, for a potential total of nine tastings per month at some retailers.

Committee Amendment "A" (H-119)

This amendment adds an emergency preamble and emergency clause and authorizes agency liquor stores and off-premises retail licensees to conduct up to 15 taste-testing events per month of spirits, wine and malt liquor. The amendment allows, but does not require, agency liquor stores and off-premises retail licensees to submit a single request to the Department of Administrative and Financial Services, Bureau of Alcoholic Beverages and Lottery Operations listing all of the taste-testing events the agency liquor store or off-premises retail licensee plans to conduct in a single calendar month. The amendment also allows agency liquor stores and off-premises retail licensees to conduct taste testing of spirits, wine and malt liquor at the same taste-testing event, as long as the agency liquor store or off-premises retail licensee is licensed to sell the types of liquor being offered at the event. Finally, the amendment also makes several technical corrections to the terminology and cross-references in the agency liquor store and off-premises retail licensee taste-testing statutes.

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Enacted Law Summary

Public Law 2019, chapter 79 authorizes agency liquor stores and off-premises retail licensees to conduct up to 15 taste-testing events per month of spirits, wine and malt liquor. Agency liquor stores and off-premises retail licensees are authorized, but not required, to submit a single request to the Department of Administrative and Financial Services, Bureau of Alcoholic Beverages and Lottery Operations listing all of the taste-testing events the agency liquor store or off-premises retail licensee plans to conduct in a single calendar month. Agency liquor stores and off-premises retail licensees may conduct taste testing of spirits, wine and malt liquor at the same taste-testing event, as long as the agency liquor store or off-premises retail licensee is licensed to sell the types of liquor being offered at the event. Public Law 2019, chapter 79 also makes several technical corrections to the terminology and cross-references in the agency liquor store and off-premises retail licensee taste-testing statutes.

Public Law 2019, chapter 79 was enacted as an emergency measure effective May 8, 2019.

LD 753 An Act To Allow Voters To Choose Ongoing Absentee Voter Status ONTP

<u>Sponsor(s)</u>	<u>Committee Report</u>	<u>Amendments Adopted</u>
FECTEAU R DESCHAMBAULT S	ONTP	

This bill provides a process for a voter to request ongoing absentee voter status in a municipality that has approved the use of ongoing absentee voter status. Ongoing absentee voter status allows the voter to automatically receive an absentee ballot for each statewide and municipal election until the status is terminated by request of the voter, because an absentee ballot sent to the voter is returned as undeliverable, because the voter dies or is disqualified to vote or because the voter's registration record is designated as inactive or cancelled in the central voter registration system.

LD 780 An Act To Change Municipal Campaign Contribution Limits PUBLIC 51

<u>Sponsor(s)</u>	<u>Committee Report</u>	<u>Amendments Adopted</u>
CHIPMAN B ACKLEY K	OTP-AM ONTP	S-21

This bill reduces from \$750 to \$350 the maximum allowable contribution that may be made to a candidate for municipal office for a single primary, general or special election by an individual or by a political committee, political action committee, other committee, firm, partnership, corporation, association or organization.

Committee Amendment "A" (S-21)

This amendment, which is the majority report of the committee, reduces from \$750 to \$500 the maximum statutory allowable contribution for candidates for municipal office.

Enacted Law Summary

Public Law 2019, chapter 51 reduces from \$750 to \$500 the maximum allowable contribution that may be made to a candidate for municipal office for a single primary, general or special election by an individual or by a political committee, political action committee, other committee, firm, partnership, corporation, association or organization.

Joint Standing Committee on Veterans and Legal Affairs

**LD 805 An Act To Clarify the Laws Governing Taste Testing and Retail Sales of
Liquor at Farmers' Markets and To Allow Retail Sales at Other
Taste-testing Events**

PUBLIC 360

<u>Sponsor(s)</u>	<u>Committee Report</u>	<u>Amendments Adopted</u>
DESCHAMBAULT S	OTP-AM ONTP	S-248

This bill is a concept draft pursuant to Joint Rule 208 that proposes to clarify the laws governing the taste testing and retail sale of liquor at farmers' markets.

Committee Amendment "A" (S-248)

This amendment, which is the majority report of the committee, strikes and replaces the bill, which is a concept draft. This amendment combines, clarifies and removes several inconsistencies in the laws governing the retail sale and taste testing of Maine-manufactured liquor at farmers' markets. As in current law, a licensed Maine small brewery, small winery or small distillery may conduct both retail sales and taste-testing events at a farmers' market subject to the applicable bylaws of the farmers' market. The manufacturer must first obtain approval from both the Department of Administrative and Financial Services, Bureau of Alcoholic Beverages and Lottery Operations and the municipality where the farmers' market will be held.

The amendment eliminates the provision of current law that limits to two the number of taste-testing events that may be held by a single manufacturer at a farmers' market each month. It also eliminates the provisions of current law that allow Maine breweries, wineries or distilleries that produce more than 50,000 gallons per year to conduct taste-testing events at farmers' markets, because these manufacturers are not authorized to conduct retail sales at farmers' markets.

The amendment further allows a licensed Maine brewery, small brewery, winery, small winery, distillery or small distillery that is authorized to participate in a taste-testing event under the Maine Revised Statutes, Title 28-A, section 1052-D to conduct retail sales of malt liquor, wine or spirits produced by that manufacturer during the taste-testing event.

Enacted Law Summary

Public Law 2019, chapter 360 combines, clarifies and removes several inconsistencies in the laws governing the retail sale and taste testing of Maine-manufactured liquor at farmers' markets. As in current law, a licensed Maine small brewery, small winery or small distillery may conduct both retail sales and taste-testing events at a farmers' market subject to the applicable bylaws of the farmers' market. The manufacturer must first obtain approval from both the Department of Administrative and Financial Services, Bureau of Alcoholic Beverages and Lottery Operations and the municipality where the farmers' market will be held.

Public Law 2019, chapter 360 eliminates the provision of current law that limits to two the number of taste-testing events that may be held by a single manufacturer at a farmers' market each month. It also eliminates the provisions of current law that allow Maine breweries, wineries or distilleries that produce more than 50,000 gallons per year to conduct taste-testing events at farmers' markets, because these manufacturers are not authorized to conduct retail sales at farmers' markets.

Finally, Public Law 2019, chapter 360 allows a licensed Maine brewery, small brewery, winery, small winery, distillery or small distillery that is authorized to participate in a taste-testing event under the Maine Revised Statutes, Title 28-A, section 1052-D to conduct retail sales of malt liquor, wine or spirits produced by that manufacturer during the taste-testing event.

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LD 816 An Act To Implement the National Popular Vote for President of the United States

Died Between Houses

<u>Sponsor(s)</u>	<u>Committee Report</u>	<u>Amendments Adopted</u>
JACKSON T MARTIN J	ONTP OTP-AM	S-44

This bill proposes to adopt an interstate compact to elect the President of the United States by national popular vote. Under the compact, the presidential candidate who receives the most popular votes in all 50 states and the District of Columbia is elected President. Under the compact, all of a state's electoral votes would be awarded to the presidential candidate who receives the most popular votes in all 50 states and the District of Columbia. This bill takes effect only if enacted by states possessing a majority of the electoral votes, that is, enough electoral votes to elect a President, which is 270 of 538. See also LD 418.

Committee Amendment "A" (S-44)

This amendment, which is the minority report of the committee, clarifies that Maine's presidential electors are not obligated to cast their votes in favor of the presidential candidate and vice presidential candidate that are declared the winners of the national popular vote until the interstate compact to elect the President of the United States by national popular vote takes effect as described in the bill.

LD 835 An Act To Increase Funding for Case Managers for Veterans

CARRIED OVER

<u>Sponsor(s)</u>	<u>Committee Report</u>	<u>Amendments Adopted</u>
ROBERTS-LOVELL		

This bill is a concept draft pursuant to Joint Rule 208 that proposes to provide funding for additional case managers in the Department of Defense, Veterans and Emergency Management, Bureau of Maine Veterans' Services to provide information and assistance to veterans regarding the availability of benefits and services for veterans such as health care, home financing, property tax exemptions and income tax credits.

This bill was carried over to any special or regular session, or both, of the 129th Legislature by joint order, H.P. 1322.

LD 845 An Act To Secure the Integrity of Elections When the Secretary of State Is a Candidate

Leave to Withdraw Pursuant to Joint Rule

<u>Sponsor(s)</u>	<u>Committee Report</u>	<u>Amendments Adopted</u>
FECTEAU R		

This bill prohibits the Secretary of State from overseeing an election in which the Secretary of State is a candidate and transfers all responsibilities of the Secretary of State for that election to the first deputy secretary of state.

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LD 853 An Act To Facilitate Weekend Malt Liquor Purchases by Licensed Establishments

PUBLIC 122

<u>Sponsor(s)</u>	<u>Committee Report</u>	<u>Amendments Adopted</u>
ANDREWS J LUCHINI L	OTP-AM	H-161

This bill permits retailers licensed for the sale of malt liquor to be consumed on the premises to purchase malt liquor from retailers licensed for the sale of malt liquor to be consumed off of the premises during weekend hours, when wholesalers and distributors are typically closed.

Committee Amendment "A" (H-161)

This amendment permits retailers licensed for on-premises consumption of malt liquor to purchase malt liquor from retailers licensed for the sale of malt liquor to be consumed off the licensed premises only during weekend hours and only two times annually. If an on-premises retailer purchases malt liquor from an off-premises retailer, the on-premises retailer must immediately notify both the Department of Administrative and Financial Services, Bureau of Alcoholic Beverages and Lottery Operations and the retailer's malt liquor wholesaler of the purchase. The on-premises retailer may not purchase more than 10 gallons of malt liquor in a single weekend and must purchase the malt liquor from an off-premises retailer located within the same malt liquor wholesaler's sales territory.

Enacted Law Summary

Public Law 2019, chapter 122 permits retailers licensed for on-premises consumption of malt liquor to purchase malt liquor from retailers licensed for the sale of malt liquor to be consumed off the licensed premises only during weekend hours and only two times annually. If an on-premises retailer purchases malt liquor from an off-premises retailer, the on-premises retailer must immediately notify both the Department of Administrative and Financial Services, Bureau of Alcoholic Beverages and Lottery Operations and the retailer's malt liquor wholesaler of the purchase. The on-premises retailer may not purchase more than 10 gallons of malt liquor in a single weekend and must purchase the malt liquor from an off-premises retailer located within the same malt liquor wholesaler's sales territory.

LD 874 An Act To Conform the Clean Election Financing Laws to the Judicially Determined Procedures

ONTP

<u>Sponsor(s)</u>	<u>Committee Report</u>	<u>Amendments Adopted</u>
ACKLEY K	ONTP	

This bill codifies the decision of the Superior Court in *Maine Citizens for Clean Elections v. LePage*, No. CV-18-112, 2018 (Me. Super. Ct., Ken. Cty., August 2, 2018). The bill authorizes the Commission on Governmental Ethics and Election Practices to expend existing revenues from the Maine Clean Election Fund in excess of the current year allocations without first obtaining a financial order approved by the Governor, solely for the purpose of making distributions required by the Maine Clean Election Act to certified candidates.

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LD 878 An Act To Make Clean Election Filing Deadlines Consistent for All Candidates

Accepted Majority (ONTP) Report

Sponsor(s)

HIGGINS N

Committee Report

ONTP
OTP-AM

Amendments Adopted

This bill changes the date on which a candidate who is not enrolled in a party must file to participate in the Maine Clean Election Act from April 20th to June 1st for a candidate for the Legislature and from April 1st to June 1st for a candidate for Governor. The new deadline, June 1st, matches the deadline under current law for an unenrolled candidate for the Legislature or for Governor to file a nomination petition with the Secretary of State.

Committee Amendment "A" (H-53)

This amendment, which is the minority report of the committee, removes the change in the bill of the date on which a gubernatorial candidate who is not enrolled in a party must file to participate in the Maine Clean Election Act.

The amendment retains the portion of the bill that changes from April 1st to June 1st the date on which a state legislative candidate who is not enrolled in a party must file to participate in the Maine Clean Election Act.

This amendment was not adopted.

LD 929 An Act Regarding the Use of Maine Clean Election Act Funds for Salaries

Accepted Majority (ONTP) Report

Sponsor(s)

COOPER J
CARPENTER M

Committee Report

ONTP
OTP-AM

Amendments Adopted

This bill provides that a person employed on a campaign by a certified candidate under the Maine Clean Election Act may not be paid a salary and consulting fees by the candidate or the candidate's committee in excess of the annual salary of the Governor.

Committee Amendment "A" (H-165)

This amendment, which is the minority report of the committee, provides that a person employed on a campaign by a certified candidate under the Maine Clean Election Act may not be paid a salary or consulting fees in excess of \$70,000, the current annual salary of the Governor.

LD 999 An Act To Allow Medical and Adult Use Marijuana Stores To Share a Common Space

CARRIED OVER

Sponsor(s)

MIRAMANT D

Committee Report

Amendments Adopted

This bill allows the use of a shared facility for retail sale of adult use marijuana and adult use marijuana products and sale of marijuana and marijuana products for medical use, as long as the adult use marijuana and adult use marijuana products are sold using a different cash register than that used for sales of marijuana and marijuana products for medical use.

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This bill was carried over to any special or regular session, or both, of the 129th Legislature by joint order, H.P. 1322.

LD 1015 An Act To Support Maine Craft Distillers

**PUBLIC 168
EMERGENCY**

<u>Sponsor(s)</u>	<u>Committee Report</u>	<u>Amendments Adopted</u>
LUCHINI L GIDEON S	OTP-AM	S-93

This bill exempts the holder of a small distillery license from bailment or other distribution fees if the product sold by that license holder, either for on-premises or off-premises consumption, was not transported to a warehouse operated by the State or a wholesaler contracted by the State.

Committee Amendment "A" (S-93)

This amendment strikes and replaces the bill and adds an emergency preamble and emergency clause. The amendment provides that the Department of Administrative and Financial Services, Bureau of Alcoholic Beverages and Lottery Operations is required to set the price of spirits produced by a licensed Maine small distillery and retained by that small distillery for sale directly to customers at a discount of 22.75% off the list price. This discount rate is greater than the discount that an agency liquor store is given off of the list price when it purchases spirits produced by a small distillery because, unlike spirits purchased by an agency liquor store, the spirits retained by the small distillery are not transported to a warehouse operated by the bureau or by a wholesaler contracted by the bureau and then distributed by that wholesaler to another location.

Enacted Law Summary

Public Law 2019, chapter 168 provides that the Department of Administrative and Financial Services, Bureau of Alcoholic Beverages and Lottery Operations is required to set the price of spirits produced by a licensed Maine small distillery and retained by that small distillery for sale directly to customers at a discount of 22.75% off the list price. This discount rate is greater than the discount that an agency liquor store is given off of the list price when it purchases spirits produced by a small distillery because, unlike spirits purchased by an agency liquor store, the spirits retained by the small distillery are not transported to a warehouse operated by the bureau or by a wholesaler contracted by the bureau and then distributed by that wholesaler to another location.

Public Law 2019, chapter 168 was enacted as an emergency measure effective May 30, 2019.

LD 1020 An Act to Modify the Number of Retail Liquor Licenses Allowed in Certain Municipalities

ONTP

<u>Sponsor(s)</u>	<u>Committee Report</u>	<u>Amendments Adopted</u>
POULIOT M STROM S	ONTP	

This bill allows the Department of Administrative and Financial Services, Bureau of Alcoholic Beverages and Lottery Operations to license up to eight agency liquor stores in a municipality with a population of at least 16,001 but less than 30,001; current law requires a population of at least 20,001 before a municipality qualifies for eight agency liquor stores. The population threshold to qualify for five agency liquor stores remains at 10,001.

The committee considered this bill in concert with LD 1068 and LD 1078, each of which also proposed to change the number of agency liquor stores allowed in each municipality. Ultimately, LD 1078 was enacted as Public Law 2019, chapter 74.

Joint Standing Committee on Veterans and Legal Affairs

LD 1026 Resolve, Directing the Secretary of State To Examine Best Practices in Elections

RESOLVE 48

<u>Sponsor(s)</u>	<u>Committee Report</u>	<u>Amendments Adopted</u>
HUBBELL B BELLOWS S	OTP-AM ONTP	H-278

This bill requires the Secretary of State to:

1. Publish a guide to election procedures for public distribution and revise the guide annually to reflect current law, rules and procedures regarding elections;
2. Provide local election procedure and ballot reconciliation forms for local election officials to complete;
3. Develop an election complaint process;
4. Maintain automatic voter registration information and contract with a nonprofit corporation of member states to maintain the information;
5. Report to the Legislature on certain election issues within 12 months after a general election; and
6. Conduct a study of post-election audits and recounts.

Committee Amendment "A" (H-278)

This amendment, which is the majority report of the committee, replaces the bill with a resolve directing the Secretary of State to conduct a study of post-election ballot audits and recounts. By December 6, 2023, the Secretary of State is directed to submit a report based upon the study to the joint standing committee of the Legislature having jurisdiction over election matters. The joint standing committee may report out a bill based upon the report to the Second Regular Session of the 131st Legislature.

Enacted Law Summary

Resolve 2019, chapter 48 directs the Secretary of State to conduct a study of post-election ballot audits and recounts. By December 6, 2023, the Secretary of State is directed to submit a report based upon the study to the joint standing committee of the Legislature having jurisdiction over election matters. The joint standing committee may report out a bill based upon the report to the Second Regular Session of the 131st Legislature.

LD 1068 An Act To Increase the Number of Agency Liquor Stores Permitted in Municipalities with 10,000 to 20,000 Residents

ONTP

<u>Sponsor(s)</u>	<u>Committee Report</u>	<u>Amendments Adopted</u>
GATTINE D SANBORN H	ONTP	

This bill allows the Department of Administrative and Financial Services, Bureau of Alcoholic Beverages and Lottery Operations to license up to six agency liquor stores in a municipality with a population of at least 10,001 but less than 20,001; current law allows such a municipality a maximum of five agency liquor stores.

The committee considered this bill in concert with LD 1020 and LD 1078, each of which also proposed to change the number of agency liquor stores allowed in each municipality. Ultimately, LD 1078 was enacted as Public Law 2019, chapter 74.

Joint Standing Committee on Veterans and Legal Affairs

LD 1078 An Act Regarding the Number of Agency Liquor Store Licenses Permitted in a Municipality

PUBLIC 74

<u>Sponsor(s)</u>	<u>Committee Report</u>	<u>Amendments Adopted</u>
HICKMAN C LUCHINI L	OTP-AM	H-96

This bill allows the Department of Administrative and Financial Services, Bureau of Alcoholic Beverages and Lottery Operations to license up to 11 agency liquor stores in a municipality with a population over 60,000. Under current law, the maximum number of agency liquor stores that may be licensed in a municipality with a population over 45,000 is 10. Compare LD 1020 and LD 1068.

Committee Amendment "A" (H-96)

This amendment replaces the bill. The amendment restructures for clarity current law limiting the number of agency liquor stores. Substantively, the amendment allows the Department of Administrative and Financial Services, Bureau of Alcoholic Beverages and Lottery Operations to:

1. License up to 11 agency liquor stores in a municipality with a population over 60,000. Under current law, the maximum number of agency liquor stores that may be licensed in a municipality with a population over 45,000 is 10; and
2. License up to seven agency liquor stores in a municipality with a population over 15,000 but less than 20,001 and six agency liquor stores in a municipality with a population over 10,000 but less than 15,001. Currently, five agency liquor stores are allowed in a municipality with a population over 10,000 but less than 20,001.

Enacted Law Summary

Public Law 2019, chapter 74 restructures for clarity current law limiting the number of agency liquor stores and allows the Department of Administrative and Financial Services, Bureau of Alcoholic Beverages and Lottery Operations to:

1. License up to 11 agency liquor stores in a municipality with a population over 60,000. Under current law, the maximum number of agency liquor stores that may be licensed in a municipality with a population over 45,000 is 10; and
2. License up to seven agency liquor stores in a municipality with a population over 15,000 but less than 20,001 and six agency liquor stores in a municipality with a population over 10,000 but less than 15,001. Currently, five agency liquor stores are allowed in a municipality with a population over 10,000 but less than 20,001.

LD 1081 An Act To Impose Further Restrictions on where Marijuana May Be Smoked

CARRIED OVER

<u>Sponsor(s)</u>	<u>Committee Report</u>	<u>Amendments Adopted</u>
CYRWAY S COSTAIN D		

This bill expands the restrictions on where marijuana may be smoked to include:

1. Areas in which tobacco smoking is prohibited;
2. Private residences or private property when a person under 18 years of age is present; and

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3. Vehicles in which a person under 18 years of age is present.

This bill was carried over to any special or regular session, or both, of the 129th Legislature by joint order, H.P. 1322.

LD 1083 An Act To Implement Ranked-choice Voting for Presidential Primary and General Elections in Maine CARRIED OVER

<u>Sponsor(s)</u>	<u>Committee Report</u>	<u>Amendments Adopted</u>
JACKSON T WARREN C	OTP-AM ONTP OTP-AM	S-313

This bill provides that, whenever the state committee of a qualified political party certifies that there is a contest among candidates for nomination as the presidential candidate of the party and that the committee has voted to conduct a presidential primary election, the State shall hold a presidential primary election on a date in March of the presidential election year chosen by the Secretary of State in consultation with the parties. Only voters who are enrolled in the party may vote in that party's presidential primary election. The votes cast in the presidential primary for each party must be tabulated according to the ranked-choice method of tabulating votes. The selection of delegates to the national presidential nominating convention for each party and allocation of those delegates among primary candidates must be in accordance with any reasonable procedures established at the state party convention.

This bill also requires the ballots cast for presidential electors during the general election to be tabulated according to the ranked-choice method of tabulating votes.

Committee Amendment "A" (S-313)

This amendment, which is the majority report of the committee, strikes and replaces the bill. Under the amendment, general elections for presidential electors must be determined by ranked-choice voting. The amendment further provides that, if a law establishing a presidential primary election is enacted in the State, primary elections for the office of President of the United States must be determined by ranked-choice voting.

Committee Amendment "B" (S-314)

This amendment, which is one of two minority reports of the committee, strikes and replaces the bill. Under the amendment, general elections for presidential electors must be determined by ranked-choice voting if that method of conducting general elections for presidential electors is approved by the voters of the State at referendum.

This amendment was not adopted.

This bill was reported out of committee and passed to be enacted as amended by Committee Amendment "A" (S-313) in the House. The bill was then tabled in the Senate and carried over to any special or regular session, or both, of the 129th Legislature by joint order, H.P. 1322.

LD 1144 An Act To Authorize Tribal Gaming CARRIED OVER

<u>Sponsor(s)</u>	<u>Committee Report</u>	<u>Amendments Adopted</u>
COLLINGS B CARPENTER M		

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This bill increases by 1,500 the number of slot machines that may be registered in the State and authorizes the Department of Public Safety, Gambling Control Board to accept an application for a casino operator license from a joint tribal entity authorizing the joint tribal entity to operate table games and slot machines at one casino owned by the joint tribal entity. "Joint tribal entity" is defined as a legal entity formed for the purpose of operating slot machines and table games at one casino, the entire ownership of which is held equally, either jointly or in common, by the Passamaquoddy Tribe, the Penobscot Nation, the Aroostook Band of Micmacs and the Houlton Band of Maliseet Indians.

The bill provides the following in regard to the casino.

1. It specifies that, as a condition of a joint tribal entity's receiving a license, a casino must be located:
 - A. On land that on January 1, 2019 was owned by the Passamaquoddy Tribe, the Penobscot Nation, the Aroostook Band of Micmacs or the Houlton Band of Maliseet Indians or land held in trust by the United States or by any other person or entity for the Passamaquoddy Tribe, the Penobscot Nation, the Aroostook Band of Micmacs or the Houlton Band of Maliseet Indians;
 - B. On land located in the unorganized territory; or
 - C. On land in a municipality and that municipality approves of the operation of the casino in that municipality, either by vote of its legislative body or in a referendum of the voters of the municipality.
2. It exempts a casino licensed to a joint tribal entity from the provision in current law that prohibits a new casino or slot machine facility from being located within 100 miles of an existing casino or slot machine facility. It provides that a casino licensed to a joint tribal entity may not be located within 50 miles of an existing facility.
3. It provides that a change in the composition of a joint tribal entity does not invalidate a casino license issued to the entity as long as the change occurs no sooner than six months after the license is issued and the entity still consists of at least two federally recognized Indian tribes in the State who own equal shares of the entity in its entirety.
4. It changes the provision in current law that states that distributions of net slot machine revenue from the casino located in Oxford County to the Penobscot Nation and the Passamaquoddy Tribe revert to the operator if one or both tribes operate or receive distributions from a newly licensed casino. It provides that the distribution of that slot machine revenue would instead be deposited into the General Fund if either the Penobscot Nation or the Passamaquoddy Tribe operated or received distributions from a newly licensed casino.
5. It establishes a distribution rate of 25% of net slot machine income and 16% of net table game income for a casino operator that is a joint tribal entity. The slot machine income is used to fund education for kindergarten to grade 12 and the table game income is deposited to the General Fund.

This bill was carried over to any special or regular session, or both, of the 129th Legislature by joint order, H.P. 1322.

LD 1154 An Act To Increase the Betting Limit on Games of Chance at Fairs and Festivals and To Expand Allowed Operation

**PUBLIC 117
EMERGENCY**

<u>Sponsor(s)</u>	<u>Committee Report</u>	<u>Amendments Adopted</u>
HANDY J LIBBY N	OTP-AM	H-162

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This bill raises the betting limit for games of chance from \$1 to \$5. It also allows a bona fide nonprofit organization to operate a licensed card game or registered game of chance to which the general public has access for four consecutive days instead of four days and removes the current three-month waiting period between game operations.

Committee Amendment "A" (H-162)

This amendment provides that the maximum bet for a licensed card game in which bets are placed per hand or per deal is \$5, inclusive of any raises made during the hand or deal. The amendment also provides that a bona fide nonprofit organization may operate a licensed card game or registered game of chance to which the general public has access for four consecutive days no more than four times in a calendar year. The amendment also adds an emergency preamble and emergency clause.

Enacted Law Summary

Public Law 2019, chapter 117 increases the maximum bet for a licensed game of chance from \$1 to \$5 and specifies that when the game of chance is a card game in which bets are placed per hand or per deal, the \$5 bet limit includes any raises made during the hand or deal. It also provides that a bona fide nonprofit organization may operate a licensed card game or registered game of chance to which the general public has access for four consecutive days no more than four times in a calendar year, eliminating the current three-month waiting period between such game operations.

Public Law 2019, chapter 117 was enacted as an emergency measure effective May 16, 2019.

LD 1187 An Act To Apply the Same Auditing Standards to All Legislative Candidates

CARRIED OVER

<u>Sponsor(s)</u>	<u>Committee Report</u>	<u>Amendments Adopted</u>
RISEMAN W CHENETTE J	OTP-AM ONTP	H-313

This bill directs the Commission on Governmental Ethics and Election Practices to conduct random audits of political action committees that are required to file campaign finance reports with the commission and candidates for state office, including candidates for Governor, State Senator, State Representative and presidential elector. The bill directs the commission to adopt rules to implement this requirement. The rules must direct the commission to audit an equal percentage of candidates for state office who are certified as Maine Clean Election Act candidates, candidates for state office who are not certified as Maine Clean Election Act candidates and political action committees. The rules must also establish standard auditing requirements to be applied to each candidate and political action committee.

Committee Amendment "A" (H-313)

This amendment, which is the majority report of the committee, strikes and replaces the bill and title. Under current practice, the Commission on Governmental Ethics and Election Practices uses funding from the Maine Clean Election Fund established in the Maine Revised Statutes, Title 21-A, section 1124 to contract with independent auditors to conduct random post-election audits of 20% of the legislative candidates who are certified as Maine Clean Election Act candidates. The amendment provides an ongoing General Fund appropriation to the Commission on Governmental Ethics and Election Practices to contract with independent auditors to conduct random post-election audits of 20% of legislative candidates who are not certified as Maine Clean Election Act candidates.

This bill was reported out of committee and then carried over to any special or regular session, or both, of the 129th Legislature on the Special Appropriations Table by joint order, H.P. 1322.

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LD 1196 RESOLUTION, Proposing an Amendment to the Constitution of Maine ONTP
To Implement Ranked-choice Voting

<u>Sponsor(s)</u>	<u>Committee Report</u>	<u>Amendments Adopted</u>
CHENETTE J FECTEAU R	ONTP	

This resolution proposes to amend the Constitution of Maine to require candidates for the political offices of Governor, State Senator and State Representative to be elected by a majority of the votes cast for that office. See also LD 1477.

LD 1213 An Act To Repeal the Ranked-choice Voting Law Accepted Majority (ONTP) Report

<u>Sponsor(s)</u>	<u>Committee Report</u>	<u>Amendments Adopted</u>
STETKIS J GUERIN S	ONTP OTP-AM	

This bill repeals the laws governing ranked-choice voting.

Committee Amendment "A" (H-232)

This amendment, which is the minority report of the committee, incorporates a fiscal note.

This amendment was not adopted.

LD 1226 An Act To Make Criteria for State Veterans' Benefits Consistent within ONTP
the Maine Revised Statutes

<u>Sponsor(s)</u>	<u>Committee Report</u>	<u>Amendments Adopted</u>
BAILEY D CARPENTER M	ONTP	

This bill revises language in the Maine Revised Statutes regarding eligibility for veterans' benefits to make that language consistent throughout the statutes.

LD 1244 An Act To Authorize the Gambling Control Board To Accept an CARRIED OVER
Application from the Passamaquoddy Tribe To Operate 50 Slot
Machines in the Tribe's High-stakes Beano Facility

<u>Sponsor(s)</u>	<u>Committee Report</u>	<u>Amendments Adopted</u>
COLLINGS B MOORE M		

This bill authorizes the Department of Public Safety, Gambling Control Board to accept an application from the Passamaquoddy Tribe to operate 50 slot machines at a gambling facility in Washington County at which high-stakes beano is conducted by the Passamaquoddy Tribe. The bill raises the limit on the number of slot machines allowed in the State by 50 to accommodate the slot machines that may be operated by the Passamaquoddy Tribe. The bill

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requires deposit of 25% of net slot machine income in the General Fund and sets the initial application fee to operate the 50 slot machines at \$10,000 and the renewal fee at \$5,000. The Passamaquoddy Tribe is exempted from paying a \$250,000 nonrefundable privilege fee and a \$5,000,000 license fee. Slot machines operated by the Passamaquoddy Tribe would be subject to the oversight of the Gambling Control Board and subject to the same laws and rules as other slot machines operated in this State.

This bill was carried over to any special or regular session, or both, of the 129th Legislature by joint order, H.P. 1322.

**LD 1255 RESOLUTION, Proposing an Amendment to the Constitution of Maine Accepted Majority
To Require Referenda To Receive 60 Percent of the Vote To Become Law (ONTP) Report**

<u>Sponsor(s)</u>	<u>Committee Report</u>	<u>Amendments Adopted</u>
MORRIS J	ONTP OTP-AM	

This resolution proposes to amend Article IV, part 3, section 18 of the Constitution of Maine to require that a direct initiative of legislation or a competing measure receive at least 60% of the votes cast to become law.

Committee Amendment "A" (H-172)

This amendment, which is the minority report of the committee, incorporates a fiscal note.

This amendment was not adopted.

LD 1268 An Act To Update and Clarify the Laws Governing Raffles PUBLIC 129

<u>Sponsor(s)</u>	<u>Committee Report</u>	<u>Amendments Adopted</u>
CYRWAY S NADEAU C	OTP-AM	S-67

This bill amends the law governing raffles for certain nonprofit organizations in the following ways:

1. Increasing the amount of total value of all prizes for which the nonprofit organization is not required to register the raffle with the Gambling Control Unit from \$2,500 to \$10,000;
2. Allowing noncash raffle prizes, which have a maximum value of \$75,000, to be exchanged for a cash prize of up to \$20,000;
3. Removing the limitation allowing only one raffle with a noncash prize of up to \$75,000 or a cash prize of up to \$20,000 in a 12-month period; and
4. Clarifying that the nonprofit organization may conduct more than one raffle at a time.

Committee Amendment "A" (S-67)

This amendment clarifies that certain nonprofit organizations, which may register with the Department of Public Safety, Gambling Control Unit to conduct raffles with noncash prizes that do not exceed \$75,000 in value or raffles with cash prizes that do not exceed \$20,000 in value, may conduct only one of these registered noncash prize raffles and one of these registered cash prize raffles at the same time. The amendment eliminates the portion of the bill that allows nonprofit organizations to exchange the prizes awarded in a noncash prize raffle for cash prizes.

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The amendment also makes technical changes to the laws governing games of chance that clarify the authority of the Gambling Control Unit to issue registrations to organizations that conduct raffles, including raffles with noncash prizes of a value greater than \$2,500, and that clarify the weekly, monthly and annual registration fees for all games of chance, including raffles.

Enacted Law Summary

Public Law 2019, chapter 129 amends the law governing raffles for certain nonprofit organizations in the following ways:

1. Increasing the amount of total value of all prizes for which the nonprofit organization is not required to register the raffle with the Gambling Control Unit from \$2,500 to \$10,000;
2. Removing the limitation allowing only one raffle with a noncash prize of up to \$75,000 or a cash prize of up to \$20,000 in a 12-month period; and
3. Clarifying that the nonprofit organization may conduct more than one raffle at the same time, as long as the organization does not conduct more than one raffle with a noncash prize of greater than \$10,000 but less than \$75,000 at the same time or more than one raffle with a cash prize of greater than \$10,000 but less than \$20,000 at the same time.

Public Law 2019, chapter 129 also makes technical changes to the laws governing games of chance that clarify the authority of the Gambling Control Unit to issue registrations to organizations that conduct raffles, including raffles with noncash prizes of a value greater than \$2,500, and that clarify the weekly, monthly and annual registration fees for all games of chance, including raffles.

LD 1332	RESOLUTION, Proposing an Amendment to the Constitution of Maine To Require State and Congressional Elections To Be Decided by a Plurality of Votes Cast	Accepted Majority (ONTP) Report
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<u>Sponsor(s)</u> JOHANSEN C	<u>Committee Report</u> ONTP OTP-AM	<u>Amendments Adopted</u>
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This resolution proposes to amend the Constitution of Maine to provide that a primary election for State Representative, State Senator or Governor must be decided by a plurality of votes cast. It also provides that a primary, general or special election for United States Representative or United States Senator must be decided by a plurality of votes cast.

Committee Amendment "A" (H-233)

This amendment, which is the minority report of the committee, provides that a primary election for President of the United States and a general election for presidential elector must be decided by a plurality of votes cast.

This amendment was not adopted.

LD 1348	An Act To Authorize Sports Wagering	ONTP
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<u>Sponsor(s)</u> EVANGELOS J DOW D	<u>Committee Report</u> ONTP	<u>Amendments Adopted</u>
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This bill authorizes the Department of Public Safety, Gambling Control Board to issue licenses to conduct sports wagering, including online sports wagering, to persons or federally recognized Indian tribes licensed to operate casinos, commercial tracks or off-track betting facilities. The board may issue licenses to operate only online sports wagering to federally recognized Indian tribes that are not licensed to operate casinos, commercial tracks or off-track betting facilities.

Under the bill, "sports wagering" is defined as any device or system established for the acceptance of wagers on a sports event by any system or method of wagering. Sports wagering operators may accept wagers on all professional or amateur sports events except high school sports events, other events in which a majority of the participants are minors and competitive video game events. Sports wagering operators may not accept wagers from persons whose identity they cannot verify; persons under 21 years of age; the director, officers and employees of the sports wagering operator and relatives living in the same household as those persons; athletes, coaches, referees and umpires participating in the sports event; other interested persons if the sports event upon which the wager is placed is overseen by the person's league or sports governing body; persons with confidential information that could affect the outcome of the sports event; persons who are on a list of prohibited persons established by the board, including persons who voluntarily request to be prohibited from making sports wagers; and persons who make wagers on behalf of another person.

The bill requires the board to adopt rules regulating the conduct of sports wagering, including rules restricting the types of wagers permitted, establishing the maximum wagers that may be accepted from any one person on a single sports event, regulating the design and minimum security standards for in-person sports wagering lounges located within casino, commercial track or off-track betting facilities and establishing record keeping, reporting and auditing requirements. The bill also requires the board to adopt rules further regulating the conduct of online sports wagering, including rules regulating the servers and other equipment used to conduct sports wagering online, establishing methods for verifying the identity and age of persons placing wagers online and prohibiting the acceptance of wagers from outside the State as required by federal law.

The bill further requires that 1% of net sports wagering income be used for administrative expenses of the board and 24% of net sports wagering income be credited by the Treasurer of State to the Department of Education for essential programs and services for kindergarten to grade 12.

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

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

LD 1357 An Act Regarding State Licensure for the Sale of Spirits for Off-premises Consumption

Accepted Majority (ONTP) Report

<u>Sponsor(s)</u>	<u>Committee Report</u>	<u>Amendments Adopted</u>
FECTEAU R	ONTP OTP-AM	

This bill repeals the law that establishes a limit on the number of agency stores allowed in a municipality based upon the population of the municipality and replaces it with a provision authorizing municipalities to determine the number of agency liquor stores that may be licensed within the municipality, with existing agency liquor store licenses grandfathered if the municipality authorizes a number of agency liquor stores less than the number of operating liquor stores previously licensed by the Department of Administrative and Financial Services, Bureau of Alcoholic Beverages and Lottery Operations or if the municipality does not make a determination.

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This bill also requires the bureau to consider, when evaluating an application for an agency liquor store license, whether the applicant is a business licensed in the municipality in which the agency liquor store will be located, has been in existence for at least the three years immediately prior to application, and has been in good standing with every agency of the State for the three years immediately prior to application.

Committee Amendment "A" (H-201)

This amendment, which is the minority report of the committee, clarifies that when the Department of Administrative and Financial Services, Bureau of Alcoholic Beverages and Lottery Operations gives public notice that any agency liquor store may be established in a particular municipality or unincorporated place, the bureau has discretion to not issue a license if, for example, the bureau determines that no applicant meets the criteria for licensure.

This amendment was not adopted.

LD 1365 RESOLUTION, Proposing an Amendment to the Constitution of Maine ONTP
To Provide for the Election of the Governor by Majority Vote

<u>Sponsor(s)</u>	<u>Committee Report</u>	<u>Amendments Adopted</u>
BABBIDGE C SANBORN L	ONTP	

This resolution proposes to amend the Constitution of Maine to require that the Governor be elected by majority vote.

LD 1372 RESOLUTION, Proposing an Amendment to the Constitution of Maine Died Between
To Ensure That Voting Rights Belong Only to Citizens in Municipal or Houses
Other Local Elections

<u>Sponsor(s)</u>	<u>Committee Report</u>	<u>Amendments Adopted</u>
WADSWORTH N	ONTP OTP-AM	

This resolution proposes to amend Article II, section 1 of the Constitution of Maine to specify that only a person who is a citizen of the United States may vote in a municipal or other local election. Compare LD 186.

Committee Amendment "A" (H-530)

This amendment, which is the minority report of the committee, incorporates a fiscal note. This amendment was adopted in the Senate but not in the House.

LD 1432 An Act To Improve the Adult Use Marijuana Laws CARRIED OVER

<u>Sponsor(s)</u>	<u>Committee Report</u>	<u>Amendments Adopted</u>
PIERCE T		

This bill amends the adult use marijuana law in several ways. First, it repeals all residency requirements regarding licensure and operations as of June 1, 2021. Second, the bill clarifies that, during the first two years after the first active cultivation facility license is issued, a dispensary or caregiver may transfer both harvested marijuana and marijuana products to an adult use marijuana establishment controlled by that dispensary or caregiver during the

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first year of that marijuana establishment's operation. Third, this bill allows a marijuana store licensee that is also a registered caregiver or a registered dispensary to sell or offer for sale both adult use marijuana and adult use marijuana products within the same facility or building in which the licensee also sells or offers for sale marijuana or marijuana products to qualifying patients.

This bill was carried over to any special or regular session, or both, of the 129th Legislature by joint order, H.P. 1322.

LD 1437 RESOLUTION, Proposing an Amendment to the Constitution of Maine CON RES 1
Concerning Alternative Signatures Made by Persons with Disabilities

<u>Sponsor(s)</u>	<u>Committee Report</u>	<u>Amendments Adopted</u>
WHITE B LUCHINI L	OTP-AM	H-163 H-344 WHITE B

This resolution, which was submitted by the Secretary of State pursuant to Joint Rule 204, proposes to amend Article IV, part 3, section 20 of the Constitution of Maine to grant the Legislature authority, by proper enactment, to authorize persons with disabilities to use alternative signatures when signing petitions for people's vetoes or direct initiatives of legislation.

Committee Amendment "A" (H-163)

This amendment incorporates a fiscal note.

House Amendment "A" (H-344)

This amendment revises the language in the resolution that allows alternative signatures for persons with disabilities who sign a petition for a people's veto and for a direct initiative to clarify that the alternative signatures are authorized for use by persons with physical disabilities that prevent them from signing their own names.

Enacted Law Summary

Constitutional Resolution 2019, chapter 1 proposes to amend Article IV, part 3, section 20 of the Constitution of Maine to grant the Legislature authority, by proper enactment, to authorize persons with physical disabilities that prevent them from signing their own names to use alternative signatures when signing petitions for people's vetoes or direct initiatives of legislation.

LD 1438 An Act To Clarify the Intent of Referendum Questions for Voters ONTP

<u>Sponsor(s)</u>	<u>Committee Report</u>	<u>Amendments Adopted</u>
COREY P HANINGTON S	ONTP	

This bill requires the Secretary of State, with the assistance of the Attorney General and the Revisor of Statutes, to prepare a summary of each referendum question that explains the referendum question to the voter and to place this summary on the ballot after the corresponding referendum question. This summary may not exceed 250 words, except that additional words may be used if the Secretary of State considers it necessary and space on the ballot permits.

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LD 1444 An Act To Make the Distance to Schools for Marijuana Establishments Consistent with the Liquor Laws

CARRIED OVER

<u>Sponsor(s)</u>	<u>Committee Report</u>	<u>Amendments Adopted</u>
MADIGAN C CHIPMAN B		

This bill changes the distance requirements under the adult use marijuana provisions from 1,000 feet to 300 feet for a marijuana establishment to a preexisting public or private school and the method by which the distance is measured to make the adult use marijuana distance requirements consistent with liquor law requirements.

This bill was carried over to any special or regular session, or both, of the 129th Legislature by joint order, H.P. 1322.

LD 1447 An Act To Simplify Voting in Maine by Placing a Moratorium on Ranked-choice Voting

Accepted Majority (ONTP) Report

<u>Sponsor(s)</u>	<u>Committee Report</u>	<u>Amendments Adopted</u>
WHITE D FARRIN B	ONTP OTP-AM	

This bill suspends the use of ranked-choice voting until elections held after December 1, 2023. The bill provides that the laws governing ranked-choice voting are repealed December 1, 2023 unless the Constitution of Maine is amended to authorize the Legislature to determine the method by which the Governor and members of the Legislature are elected.

Committee Amendment "A" (H-234)

This amendment, which is the minority report of the committee, incorporates a fiscal note.

This amendment was not adopted.

LD 1454 An Act Concerning Elections in Maine Congressional Districts

Accepted Majority (ONTP) Report

<u>Sponsor(s)</u>	<u>Committee Report</u>	<u>Amendments Adopted</u>
BRADSTREET D DOW D	ONTP OTP-AM	

This bill provides that the voters of a congressional district must determine by referendum vote the method used in that congressional district to elect their Representative to Congress. The voters of a congressional district may choose to elect their Representative to Congress by plurality voting or by ranked-choice voting. The bill requires that such a referendum be held in each congressional district on a date established by the Secretary of State, but not later than 180 days after the effective date of the legislation.

Committee Amendment "A" (H-235)

This amendment, which is the minority report of the committee, incorporates a fiscal note.

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This amendment was not adopted.

LD 1456 An Act To Amend the Laws Governing Raffles

ONTP

<u>Sponsor(s)</u>	<u>Committee Report</u>	<u>Amendments Adopted</u>
COREY P	ONTP	

This bill repeals the current law governing raffles and enacts new law based on the former Maine Revised Statutes, Title 17, section 1837, which was enacted by Public Law 2009, chapter 487, Part A, section 2 and took effect on July 12, 2010.

LD 1463 An Act To Create an Automatic Voter Registration System

PUBLIC 409

<u>Sponsor(s)</u>	<u>Committee Report</u>	<u>Amendments Adopted</u>
GIDEON S LUCHINI L	OTP-AM ONTP	H-458

This bill establishes, beginning January 1, 2022, a method of automatically registering eligible individuals to vote. The Department of the Secretary of State, Bureau of Motor Vehicles, when receiving any documentation from an individual doing business with the bureau, including applying for or renewing a driver's license or nondriver identification card, is required to scan and electronically store the documentation provided by the individual. If the documentation provides proof of eligibility to vote, including citizenship, age and residency, that individual is added to the central voter registration system and relevant information is transmitted to election officials unless the individual, at the time of the collection of the documentation, chooses not to be registered to vote, which the Secretary of State is required to ensure that an individual is given the opportunity to do. An application or document used to collect information that may be used to register an individual must contain a notice that the individual's information may be used to register that individual to vote, meaning that the information would be available by persons other than the State or election officials. An election official must provide the same notice to an individual upon receipt of the registration record from the Bureau of Motor Vehicles and also must inform the individual of the ability to choose not to be registered to vote and to pick a party affiliation. If the individual fails to respond within 21 days, the individual is considered a registered voter if that individual meets the qualifications to be registered as a voter.

The Secretary of State and the Governor are allowed to designate other state agencies and departments and public and private entities, such as colleges and municipal clerk offices, as so-called source agencies that are allowed to submit registration information to the bureau for inclusion in the central voter registration system, but only if those agencies, as part of their normal course of business, collect information that provides proof of eligibility to vote, including an entity that, as of January 1, 2022, is designated under the National Voter Registration Act of 1993 as a voter registration agency that collects information that provides proof of voter eligibility. A source agency is required to comply with the same restrictions regarding sharing and use of documentation as the bureau.

Information from a source agency may also be used to update an individual's voter registration.

This bill exempts from liability an individual who is not qualified to be a registered voter but who becomes a registered voter by operation of the automatic registration, as long as that individual has not knowingly or willfully provided false information.

This bill also requires the Secretary of State to adopt major substantive rules to implement the new automatic voter registration system and submit those rules, along with any proposed legislation necessary for the proper

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implementation of the new system, to the Second Regular Session of the 129th Legislature.

Finally, this bill lowers the age at which a person may submit a conditional registration to vote and enrollment in a political party from 17 years of age to 16 years of age.

Committee Amendment "A" (H-458)

This amendment, which is the majority report of the committee, makes the following changes to the automatic voter registration system established in the bill.

1. It clarifies the process for automatic voter registration. When an individual doing business with a source agency provides information demonstrating the individual's eligibility to vote, the individual must be notified that the individual's information will be used to register that individual to vote unless the individual declines to be registered. If the individual does not opt out, the source agency must create a pending voter registration record and transmit that record to the applicable registrar of voters, who shall determine whether the individual is eligible to vote. If the individual is eligible to vote, the registrar must enter the individual's information in the central voter registration system or, if the individual is already registered to vote, the registrar must update the central voter registration system with the individual's change of name or address, if any.
2. As in the bill, the Department of the Secretary of State, Bureau of Motor Vehicles is automatically designated a "source agency" through which automatic voter registration takes place. Unlike the bill, the amendment grants authority to designate other source agencies only to the Secretary of State. The Secretary of State may designate as a source agency a state entity or department or another entity designated by Section 7 of the National Voter Registration Act of 1993, as long as the Secretary of State verifies that the department, agency or entity collects documents that provide proof of voter eligibility as part of its normal course of business.
3. It eliminates the provisions of the bill establishing specific privacy and security measures and specific restrictions against the misuse of voter registration information, allowing the Secretary of State to adopt rules related to these topics.
4. It changes the rules that the Secretary of State may adopt to implement the automatic voter registration system from major substantive rules to routine technical rules.
5. It changes to January 1, 2020 the effective date of the provision of the bill that lowers the age at which a person may submit a conditional registration to vote and enroll in a political party.
6. As in the bill, automatic voter registration is effective January 1, 2022. Unlike the bill, the amendment directs the Secretary of State to submit, by January 1, 2020, a report to the Joint Standing Committee on Veterans and Legal Affairs on the progress made toward implementing automatic voter registration and the estimated time required to complete all activities necessary for implementation. The Joint Standing Committee on Veterans and Legal Affairs may report out legislation to the Second Regular Session of the 129th Legislature based on the report.
7. It adds an appropriations and allocations section.

Enacted Law Summary

Public Law 2019, chapter 409 establishes, beginning January 1, 2022, a method of automatically registering eligible individuals to vote. When an individual doing business with a source agency provides information demonstrating the individual's eligibility to vote, the individual must be notified that the individual's information will be used to register that individual to vote unless the individual declines to be registered. If the individual does not affirmatively opt out, the source agency must create a pending voter registration record and transmit that record to the applicable registrar of voters, who shall determine whether the individual is eligible to vote. If the individual is eligible to vote, the registrar must enter the individual's information in the central voter registration system or, if the individual is already registered to vote, the registrar must update the central voter registration system with the

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individual's change of name or address, if any. An individual who is not qualified to be a registered voter but who becomes a registered voter by operation of the automatic registration is exempted from liability as long as that individual has not knowingly or willfully provided false information.

The Department of the Secretary of State, Bureau of Motor Vehicles is automatically designated a "source agency" through which automatic voter registration takes place. The Secretary of State may designate another state agency or department or another entity designated by Section 7 of the National Voter Registration Act of 1993 as a source agency, as long as the Secretary of State verifies that the department, agency or entity collects documents that provide proof of voter eligibility as part of its normal course of business.

Public Law 2019, chapter 409 also requires the Secretary of State to audit the central voter registration system for quality of data prior to implementation of automatic voter registration and periodically thereafter and to adopt routine technical rules to implement the new automatic voter registration system. The Secretary of State is further required to submit, by January 1, 2020, a report to the Joint Standing Committee on Veterans and Legal Affairs on the progress made toward implementing automatic voter registration and the estimated time required to complete all activities necessary for implementation. The Joint Standing Committee on Veterans and Legal Affairs may report out legislation to the Second Regular Session of the 129th Legislature based on the report.

Finally, effective January 1, 2020, Public Law 2019, chapter 409 lowers from 17 years of age to 16 years of age the age at which a person may submit a conditional registration to vote and to enroll in a political party.

LD 1477 RESOLUTION, Proposing an Amendment to the Constitution of Maine CARRIED OVER
To Facilitate the Use of Ranked-choice Voting for Governor and
Members of the Legislature

<u>Sponsor(s)</u>	<u>Committee Report</u>	<u>Amendments Adopted</u>
COOPER J MIRAMANT D	OTP-AM ONTP	H-236

This resolution proposes to amend the Constitution of Maine to allow the Legislature, or the people by using the direct initiative, to determine whether a general election for the Governor, a State Senator or a State Representative should be decided by a plurality or a majority of the votes.

Committee Amendment "A" (H-236)

This amendment, which is the majority report of the committee, allows the Legislature, or the people using the direct initiative, to establish the method for determining the winners of general elections for Governor, State Senators and State Representatives. The amendment also clarifies that, after local officials form records of the votes received in a general election for Representatives, Senators and Governor, the ballots may be forwarded to the Secretary of State at the direction of the Secretary of State, rather than to the Governor as in the resolution.

This resolution was reported out of committee and then carried over to any special or regular session, or both, of the 129th Legislature on the Special Appropriations Table by joint order, H.P. 1322.

LD 1493 An Act To Exempt Cribbage and Other Card Games from Licensing ONTP
and Regulation When Conducted by Certain Organizations

<u>Sponsor(s)</u>	<u>Committee Report</u>	<u>Amendments Adopted</u>
SANBORN H	ONTP	

Joint Standing Committee on Veterans and Legal Affairs

This bill amends the laws regarding games of chance conducted and regulated pursuant to the Maine Revised Statutes, Title 17, chapter 62, including the following.

1. It provides a definition of "bona fide charitable organization" to include entities such as fire departments and political, recreational and patriotic organizations, as long as those entities have tax-exempt status under the United States Internal Revenue Code of 1986, are licensed as charitable organizations under the Charitable Solicitations Act and are corporations in good standing with the Secretary of State.
2. It provides a definition of "game of chance and skill" for the purpose of distinguishing a game that requires the skillful exercise of judgment to influence the outcome of a game from a game of chance, which is a game in which chance influences the outcome in a manner that cannot be eliminated through the application of skill.
3. It provides that a game of chance and skill that is conducted by a bona fide charitable organization is exempt from licensing and other regulation.
4. It provides that a game of chance and skill that is conducted by a person that is not a bona fide charitable organization is treated in the same manner, for purposes of regulation and licensing, as a game of chance.
5. It removes the cap on the maximum number of players allowed in tournament games and requires prizes to be paid by check.
6. It removes the specific regulation of cribbage tournaments and the exceptions for cribbage tournaments, since they will either not be regulated if conducted by a bona fide charitable organization or will be subject to the same regulation as other tournament games if conducted by an organization that is not a bona fide charitable organization.
7. It removes the requirement that the Department of Public Safety, Gambling Control Unit adopt rules that regulate undesirable activities and conduct of organizations established primarily to operate games but that do not have a bona fide nonprofit charitable, educational, political, civic, recreational, fraternal, patriotic, religious or public safety purpose.

LD 1495 Resolve, Regarding the Revision of Title 28-A of the Maine Revised Statutes

RESOLVE 15

<u>Sponsor(s)</u>	<u>Committee Report</u>	<u>Amendments Adopted</u>
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This resolve, which was reported out by the Joint Standing Committee on Veterans and Legal Affairs pursuant to Joint Order 2019, Senate Paper 381, does the following.

1. It repeals Resolve 2017, chapter 18, which directed legislative staff to prepare a recodification and revision of the Maine Revised Statutes, Title 28-A and to submit it to the Joint Standing Committee on Veterans and Legal Affairs no later than January 15, 2019.
2. It directs the Office of Policy and Legal Analysis to prepare an analysis regarding inconsistencies, duplications and ambiguities contained within the text of Title 28-A and, on or before January 1, 2020, to submit that analysis to the Joint Standing Committee on Veterans and Legal Affairs.
3. It authorizes the Joint Standing Committee on Veterans and Legal Affairs to report out legislation to the Second Regular Session of the 129th Legislature proposing revisions to Title 28-A in response to the analysis submitted by the Office of Policy and Legal Analysis.

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Enacted Law Summary

Resolve 2019, chapter 15 repeals Resolve 2017, chapter 18, which directed legislative staff to prepare a recodification and revision of the Maine Revised Statutes, Title 28-A and to submit that recodification and revision to the Joint Standing Committee on Veterans and Legal Affairs no later than January 15, 2019.

Resolve 2019 chapter 15 instead directs the Office of Policy and Legal Analysis to prepare an analysis regarding inconsistencies, duplications and ambiguities contained within the text of Title 28-A and submit that analysis to the Joint Standing Committee on Veterans and Legal Affairs on or before January 1, 2020. The Joint Standing Committee on Veterans and Legal Affairs may report out legislation to the Second Regular Session of the 129th Legislature proposing revisions to Title 28-A in response to the analysis submitted by the Office of Policy and Legal Analysis.

LD 1515 An Act To Allow Sports Wagering in Maine

ONTP

Sponsor(s)

WHITE D
FARRIN B

Committee Report

ONTP

Amendments Adopted

This bill authorizes the Department of Public Safety, Gambling Control Board to issue licenses to operate sports pools to commercial tracks and off-track betting facilities in the State. Under the bill, wagers on sports events must be made in person at a sports wagering lounge and may not be transmitted over the Internet from a remote location.

Sports pool operators may accept wagers on all professional or amateur sports events except high school sports events and other events in which a majority of the participants are minors. Sports pool operators may not accept wagers from persons whose identity they cannot verify; persons under 18 years of age; the director, officers and employees of the sports pool operator and relatives living in the same household as those persons; athletes, coaches, referees and umpires participating in the sports event; other interested persons including persons who own more than 50% of the legal or beneficial interest in any team if the sports event upon which the wager is placed is overseen by the person's league or sports governing body; persons with confidential information that could affect the outcome of the sports event; persons who are on a list of persons who are to be excluded or removed from a sports wagering lounge established by the board, including persons who voluntarily request to be excluded; and persons who make wagers on behalf of another person.

The bill requires the board to adopt rules regulating the operation of sports pools, including rules restricting the types of wagers permitted, establishing the maximum wagers that may be accepted from any one person on a single sports event, regulating the design and minimum security standards for in-person sports wagering lounges located within a commercial track or off-track betting facility and establishing record-keeping, reporting and auditing requirements.

The bill further requires that 18% of net sports pool income be transferred to the board for distribution as follows: 1% for administrative expenses of the board; 2% for primary and secondary school education in the State; 2% for the Maine Community College System's scholarships program; 2% to the Agricultural Fair Support Fund; 2% to the fund used to supplement harness racing purses; 2% to the Fund to Encourage Racing at Maine's Commercial Tracks; 2% to the Fund to Stabilize Off-track Betting Facilities; and 5% to be divided equally among the tribal governments of the federally recognized Indian tribes in the State.

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

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

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LD 1545 An Act Regarding the Testing of Adult Use Marijuana and Marijuana Products

CARRIED OVER

<u>Sponsor(s)</u>	<u>Committee Report</u>	<u>Amendments Adopted</u>
MIRAMANT D HICKMAN C		

This bill amends the provisions regarding the testing of adult use marijuana and adult use marijuana products by:

1. Requiring that any testing conform to any applicable state or federal process, protocol or standard for the testing of tobacco; and
2. Providing that if a testing facility does not test adult use marijuana or an adult use marijuana product within five days of receiving the marijuana or marijuana product from a licensee, the licensee may sell or distribute the marijuana or marijuana product if the marijuana or marijuana product is labeled "Untested." If upon testing a testing facility determines that the marijuana or marijuana product exceeds the maximum level of allowable contamination for any contaminant that is injurious to health and for which testing is required, the testing facility is required to immediately notify the Department of Administrative and Financial Services and the licensee. The licensee is required to recover, document, quarantine and hold the marijuana or marijuana product for either remediation and retesting or destruction by the department.

This bill was carried over to any special or regular session, or both, of the 129th Legislature by joint order, H.P. 1322.

LD 1565 RESOLUTION, Proposing an Amendment to the Constitution of Maine To Protect Voter-approved Measures

ONTP

<u>Sponsor(s)</u>	<u>Committee Report</u>	<u>Amendments Adopted</u>
CHENETTE J	ONTP	

This resolution proposes amending the Constitution of Maine as follows:

1. To allow the Legislature to establish a process for the review of a direct initiative before petition forms are furnished or approved by the Secretary of State; and
2. To allow the Legislature to change a direct initiative after it is approved by the voters at referendum if the change clarifies or further advances the original intent of the direct initiative. Any change made by the Legislature less than a year after the effective date of the initiative that frustrates the effectuation or implementation of the direct initiative does not go into effect until submitted to the voters at referendum and approved by a majority of those voting on the question.

LD 1570 An Act To Allow Residents To Register Online To Vote

ONTP

<u>Sponsor(s)</u>	<u>Committee Report</u>	<u>Amendments Adopted</u>
ACKLEY K	ONTP	

This bill allows online applications for voter registration by eligible residents of the State through the Secretary of

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State's publicly accessible website.

LD 1571 An Act To Establish the Exclusive Right of the Federally Recognized Indian Tribes in the State To Conduct All Sports Betting in Maine ONTP

<u>Sponsor(s)</u>	<u>Committee Report</u>	<u>Amendments Adopted</u>
COLLINGS B JACKSON T	ONTP	

This bill authorizes the Department of Public Safety, Gambling Control Board to issue licenses to federally recognized Indian tribes to operate online sports pools. A tribe that is licensed by the board may enter into a written contract, approved by the board, with a licensed online sports pool vendor to operate the online sports pool on behalf of the tribe. Under the bill, an online sports pool is described as a device or system established for the acceptance of wagers on a sports event by any system or method of wagering in which the wagers are made via electronic device and transmitted by any means that involves the use, at least in part, of the Internet.

Online sports pool operators may accept wagers on all professional or amateur sports events except high school sports events or other events in which a majority of the participants are minors. Online sports pool operators may not accept wagers from persons whose identity they cannot verify; persons under 21 years of age; the director, officers and employees of the online sports pool operator and relatives living in the same household as those persons; athletes, coaches, referees and umpires participating in the sports event; other interested persons if the sports event upon which the wager is placed is overseen by the person's league or sports governing body; persons with confidential information that could affect the outcome of the sports event; persons who voluntarily request to be prohibited from making online sports wagers; and persons who make wagers on behalf of another person.

The bill requires the board to adopt rules regulating the operation of online sports pools, including rules restricting the types of wagers permitted, establishing the maximum wagers that may be accepted from any one person on a single sports event, imposing requirements for servers and other equipment used to operate the online sports pool, establishing methods for verifying the identity and age of persons placing wagers online and prohibiting the acceptance of wagers from outside the State as required by federal law.

The bill further requires that 1% of net online sports pool income be used for administrative expenses of the board and that 10% of net online sports pool income be distributed to the Treasurer of State to be credited to the Department of Education for essential programs and services for kindergarten to grade 12.

Finally, the bill provides that the laws governing unlawful gambling and games of chance do not apply to online sports pool operators that comply with the laws governing online sports pools.

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

LD 1583 An Act To Enact the Maine Citizens' Initiatives Clean Election Act Accepted Majority (ONTP) Report

<u>Sponsor(s)</u>	<u>Committee Report</u>	<u>Amendments Adopted</u>
COREY P CHENETTE J	ONTP OTP-AM	

This bill establishes the Maine Citizens' Initiatives Clean Election Act. It provides a public financing mechanism for committees that are Maine-chartered nonprofits or groups whose principal officers are Maine citizens and are formed to support or oppose a direct initiative of legislation or a people's veto or to support a competing measure to

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a direct initiative of legislation. The funding process is similar to that provided for clean election candidates under the Maine Revised Statutes, Title 21-A, chapter 14. It provides for limits on the amount of funds that committees seeking public funding may raise and spend prior to qualifying for public funding and the amount of qualifying contributions that a committee must raise to be certified to receive public funding, and it establishes the amounts that certified committees may receive. It also establishes procedures governing financial reporting and accounting, appeals of decisions, penalties for violations and other procedural matters to ensure the integrity of the process. In addition to other available funds, including qualifying contributions raised by committees and voluntary contributions through a tax checkoff program, funding for certified committees is provided by an annual appropriation of \$3,000,000.

Committee Amendment "A" (H-318)

This amendment, which is the minority report of the committee, makes technical changes to the Maine Citizens' Initiatives Clean Election Act established in the bill. The amendment clarifies that a ballot question committee that wishes to participate in the Act and that supports a direct initiative or people's veto may, in addition to collecting seed money contributions, collect a limited amount of contributions and make a limited amount of expenditures specifically for the purposes of gathering signatures on the ballot question petition. The amendment clarifies that a ballot question committee that wishes to participate in the Act may be involved in collecting signatures for only one ballot question at a time and may not expend any revenues distributed from the Maine Citizens' Initiatives Clean Election Fund on signature-gathering activities.

The amendment further provides that the qualifying period, during which ballot question committees may collect qualifying contributions for certification under the Act, commences for all committees on the date that an application to initiate proceedings for a direct initiative or people's veto is filed with the Secretary of State under the Maine Revised Statutes, Title 21-A, section 901.

The amendment also adds an appropriations and allocations section.

This amendment was not adopted.

LD 1619 An Act Regarding Licenses for the Sale of Liquor for On-premises Consumption

**PUBLIC 167
EMERGENCY**

<u>Sponsor(s)</u>	<u>Committee Report</u>	<u>Amendments Adopted</u>
LUCHINI L	OTP-AM	S-92

This bill gives a municipality the option of conditioning its approval of a particular Class X liquor license issued to a Class A lounge on the exclusion of a type of liquor from sale by the licensee.

Committee Amendment "A" (S-92)

This amendment clarifies that a municipality may impose a condition limiting the types of liquor that may be sold for consumption on the premises of a particular Class X licensee when the municipality considers an application for a new or a renewed Class X license under the process established in the Maine Revised Statutes, Title 28-A, section 653.

Enacted Law Summary

Public Law 2019, chapter 167 authorizes a municipality to impose a condition limiting the types of liquor that may be sold for consumption on the premises of a particular Class A lounge when the municipality considers the lounge's application for a new or a renewed Class X license under the process established in the Maine Revised Statutes, Title 28-A, section 653.

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Public Law 2019, chapter 167 was enacted as an emergency measure effective May 30, 2019.

LD 1621 An Act To Allow Delivery of Adult Use Marijuana and Adult Use Marijuana Products by an Approved Marijuana Store

CARRIED OVER

<u>Sponsor(s)</u>	<u>Committee Report</u>	<u>Amendments Adopted</u>
JACKSON T HANDY J		

This bill amends the Marijuana Legalization Act to allow delivery of adult use marijuana and adult use marijuana products by a marijuana store if the municipality or town, plantation or township in which the marijuana store is located authorizes the operation of delivery services and the marijuana store receives approval to operate the delivery service from the Department of Administrative and Financial Services. A marijuana store is allowed to maintain a separate storage facility approved by the department in which to store product or from which to conduct delivery service operations and which may be located in the same municipality as the retail facility of the marijuana store or another municipality subject to the approval of the other municipality. Delivery services are subject to the same testing, tracking, labeling and packaging requirements as retail sales of adult use marijuana and marijuana products, delivery service drivers are subject to the same requirements as the employees of a marijuana store, delivery recipients are subject to the same customer restrictions regarding age and state of intoxication as marijuana store customers and delivery service vehicles are subject to the same inspection requirements as the marijuana store's licensed premises and may not have an occupant under 21 years of age during the course of a delivery.

This bill was carried over to any special or regular session, or both, of the 129th Legislature by joint order, H.P. 1322.

LD 1626 An Act To Implement a Presidential Primary System in Maine

PUBLIC 445

<u>Sponsor(s)</u>	<u>Committee Report</u>	<u>Amendments Adopted</u>
LUCHINI L HICKMAN C	OTP-AM ONTP OTP-AM	S-186

This bill, which was submitted by the Secretary of State pursuant to Joint Rule 204, implements a presidential primary election to be held on the first Tuesday after the first Monday in March of the presidential election year, and provides a process for the parties to participate if they certify to the Secretary of State by November 1st of the year prior to the presidential election year that they have a contest among candidates for nomination.

Committee Amendment "A" (S-186)

This amendment, which is the majority report of the committee, strikes the provision of the bill mandating that each party's presidential primary elections are closed to any voter not enrolled in that party. Under the amendment, by December 1st of the year prior to a presidential election year, a party must notify the Secretary of State whether unenrolled voters are eligible to vote in the party's presidential primary election. The amendment also corrects cross-references in the bill.

Committee Amendment "B" (S-187)

This amendment, which is one of two minority reports of the committee, strikes the provision of the bill mandating that each party's presidential primary elections are closed to any voter not enrolled in that party. Under the amendment, an unenrolled voter may choose to vote in one party's presidential primary election. The amendment also corrects cross-references in the bill. This amendment was not adopted.

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Enacted Law Summary

Public Law 2019, chapter 445 implements a presidential primary election to be held on the first Tuesday after the first Monday in March of the presidential election year, and provides a process for the parties to participate if they certify to the Secretary of State by November 1st of the year prior to the presidential election year that they have a contest among candidates for nomination. By December 1st of the year prior to a presidential election year, a party must notify the Secretary of State whether unenrolled voters are eligible to vote in the party's presidential primary election.

LD 1631 RESOLUTION, Proposing an Amendment to the Constitution of Maine ONTP
Concerning Early Voting, Voting by Absentee Ballot and Voting by Mail

<u>Sponsor(s)</u>	<u>Committee Report</u>	<u>Amendments Adopted</u>
SCHNECK J MIRAMANT D	ONTP	

This resolution, which was submitted by the Secretary of State pursuant to Joint Rule 204, proposes to amend the Constitution of Maine to allow the Legislature to authorize a process to allow early voting to occur in the same manner as on election day during a period immediately preceding an election. It also allows for voting by absentee ballot by citizens for reasons deemed sufficient without requiring in the Constitution of Maine that the citizens be absent or physically incapacitated. Additionally, this resolution allows the Legislature to authorize a process of voting by mail for all citizens of the State as an alternative to voting by absentee ballot. Compare LD 619.

**LD 1633 An Act To Legalize Keno and Historical Instant Racing Accepted Majority
(ONTP) Report**

<u>Sponsor(s)</u>	<u>Committee Report</u>	<u>Amendments Adopted</u>
COLLINGS B DIAMOND B	ONTP OTP-AM	

This bill establishes a framework for the regulation of historical instant racing and keno. The bill creates a single license for the operation of historical instant racing and keno. Casinos, commercial tracks, off-track betting facilities and high-stakes beano facilities are each eligible to apply for the license, issued by the Gambling Control Board.

The bill directs the board to adopt rules governing the conduct of historical instant racing and keno, including rules related to the prevention of fraud or deception, authorized wager amounts, the maximum percentage of all wagers that may be retained by the licensee and methods for verifying that a person who makes a historical instant racing wager or who plays keno is at least 21 years of age. The bill further requires that 1% of the net income from historical instant racing and keno be used for administrative expenses of the board and that 10% of the net revenue be distributed to the Treasurer of the State to be credited to the Department of Education for essential programs and services for kindergarten to grade 12.

Committee Amendment "A" (H-535)

This amendment is the minority report of the committee. Unlike the bill, which directs that 10% of the net income from historical instant racing and keno be remitted to the State and credited to the Department of Education for essential programs and services for kindergarten to grade 12, the amendment directs that this 10% of the net income from historical instant racing and keno be deposited to the General Fund.

This amendment also adds an appropriations and allocations section.

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This amendment was not adopted.

LD 1642 An Act Regarding the Regulation of Sports Wagering

ONTP

<u>Sponsor(s)</u>	<u>Committee Report</u>	<u>Amendments Adopted</u>
POULIOT M	ONTP	

This bill authorizes sports wagering regulated by the Department of Public Safety, Gambling Control Unit. The bill requires a person or entity offering sports wagering to hold an operator license. A gaming entity that offers sports wagering through mobile applications or digital platforms in any jurisdiction in the United States pursuant to a state regulatory structure and that meets certain requirements is eligible to receive an operator license. An operator license authorizes the operation of sports wagering through a mobile application or digital platform approved by the Gambling Control Unit. For the privilege of holding a license to operate sports wagering, the bill levies a tax of 10% of the licensee's adjusted gross sports wagering receipts from the operation of sports wagering. The bill allows the director of the Gambling Control Unit to enter into a sports wagering agreement between the director and one or more other governments whereby persons who are physically located in a signatory jurisdiction may participate in sports wagering conducted by one or more operators licensed by the signatory governments. The bill also allows a fantasy contest operator to offer a fantasy contest based on the performances of participants in collegiate athletic events.

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

LD 1656 An Act To Provide for the Regulation of Sports Wagering

ONTP

<u>Sponsor(s)</u>	<u>Committee Report</u>	<u>Amendments Adopted</u>
JACKSON T COLLINGS B	ONTP	

This bill authorizes sports wagering regulated by the Department of Public Safety, Gambling Control Unit. The bill requires a person or entity involved in sports wagering to hold a facility license, supplier license, management services license, mobile sports wagering license or occupational license. To be eligible to receive a facility license, a person or entity must also hold a license, or in the case of a beano operator, hold a license or be registered, as a commercial track, off-track betting facility, slot machine facility, casino or beano operator. A mobile sports wagering license authorizes the operation of sports wagering through a mobile application or digital platform approved by the Gambling Control Unit. For the privilege of holding a mobile sports wagering license or a facility license to operate sports wagering, the bill levies a tax of 10% of the licensee's adjusted gross sports wagering receipts from the operation of sports wagering. The bill allows a fantasy contest operator to offer a fantasy contest based on the performances of participants in collegiate athletic events.

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

LD 1657 An Act To Regulate Sports Wagering

ONTP

<u>Sponsor(s)</u>	<u>Committee Report</u>	<u>Amendments Adopted</u>
JACKSON T	ONTP	

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.

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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.

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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.

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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

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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.

An auditorium, hotel, restaurant, Class A restaurant, Class A restaurant/lounge or Maine manufacturer that is licensed under the Maine Revised Statutes, Title 28-A to serve alcoholic beverages and that is located within the entertainment district and adjacent to the common consumption area is eligible for a common consumption area license. The process for review and approval of applications for licenses for the on-premises consumption of liquor by the municipal officers and by the Department of Administrative and Financial Services, Bureau of Alcoholic Beverages and Lottery Operations applies to applications for licenses for a common consumption area license.

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. A common consumption area license does not permit the licensee to serve any alcoholic beverages that the licensee is not authorized to serve pursuant to the licensee's underlying auditorium, hotel, restaurant, Class A restaurant, Class A restaurant/lounge or Maine manufacturer liquor license.

LD 1686 An Act To Allow Maine Clean Election Act Funds To Be Used for Election Recounts

Accepted Majority (ONTP) Report

Sponsor(s)
ACKLEY K

Committee Report
ONTP
OTP-AM

Amendments Adopted

This bill allows a candidate to spend revenues received under the Maine Clean Election Act for election recount expenditures. Compare LD 411.

Committee Amendment "A" (H-534)

This amendment, which is the minority report of the committee, clarifies that a candidate may only spend revenues the candidate previously received under the Maine Clean Election Act for the cost of legal representation during a recount or subsequent court challenge if the recount is requested by the candidate's opponent. Maine Clean Election Act Fund revenues may not be used to pay the deposit due to the Secretary of State by a candidate who requests a recount.

This amendment was not adopted.

LD 1721 An Act To Amend the Campaign Reports and Finances Laws and the Maine Clean Election Act

PUBLIC 323

Sponsor(s)

Committee Report
OTP-AM
ONTP

Amendments Adopted
S-195

This bill, which was submitted by the Commission on Governmental Ethics and Election Practices, specifies that appointees to the Commission on Governmental Ethics and Election Practices who fill an unexpired term on the commission for less than two years are eligible to be appointed to two consecutive full terms thereafter. It also authorizes disclosure of a memorandum or report prepared by commission staff on an audit or investigation at the time the memorandum or report is submitted to the commission, as long as the subject of the audit or investigation is

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provided a prior opportunity to review the memorandum or report to identify confidential or privileged material.

The bill also makes a number of changes to the campaign reports and finances laws, including:

1. Expanding the time immediately preceding an election during which the name and address of the person who paid for a media communication that clearly identifies a candidate or the name of the person who paid for a prerecorded or scripted telephone call that clearly identifies a candidate must be disclosed and a statement must be made indicating whether the candidate authorized the media communication or telephone call. Under the bill, these disclosures are required if the communication is made during the 28 days preceding a primary election, the 35 days preceding a special election or from Labor Day to the date of a general election. Phone surveys that are not intended to change someone's vote are exempt from these disclosure requirements;
2. Creating a new requirement that, when a person expends more than \$500 on a prerecorded or scripted telephone call that expressly advocates for or against a referendum question, the name of the person who paid for the telephone call must be clearly stated. Phone surveys that are not intended to change someone's vote are exempt from this disclosure requirement;
3. Requiring that membership organizations and corporations report paid communications that expressly advocate the election or defeat of a candidate if the cost of those communications is in excess of \$100, rather than \$50 as in current law;
4. Waiving for unopposed candidates the requirement that a candidate for state or county office report to the commission and a candidate for municipal office report to the municipal clerk within 24 hours of receiving a single contribution or making a single expenditure of \$1,000 or more from the 13th day before an election to the day before an election;
5. Waiving for primary elections the requirement that municipal, district and county party committees report to the commission within 24 hours of receiving a single contribution of \$5,000 or more or making a single expenditure of \$1,000 or more from the 13th day before the election to the day before the election;
6. Authorizing traditionally financed candidates to use surplus campaign contributions for payment of expenses related to a recount;
7. Clarifying the dates that campaign finance reports are due and specifying that party committees, political action 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;
8. 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
9. 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.

It also makes changes to the Maine Clean Election Act in the provisions regarding terms of participation, including:

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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;
2. Specifying that a candidate must meet the qualifications for candidacy and for holding office, including residency requirements provided in the Constitution of Maine, and that the commission may consider a request to investigate a candidate's qualifications at any point prior to 6 months after the election for which the candidate received funding. It also provides that failure to meet the qualifications is grounds for revocation of certification under the Maine Clean Election Act; and
3. 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.

Committee Amendment "A" (S-195)

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

1. Under the bill, when prerecorded automated telephone calls and scripted live telephone calls that name a clearly identified candidate are made within 28 days before a primary election, within 35 days before a special election or between Labor Day and the date of a general election, the telephone calls must include information disclosing both the name of the person who paid for or financed the telephone call and whether the candidate authorized the telephone call. The amendment clarifies that surveys that meet generally accepted standards for polling research and that are not conducted for the purpose of influencing the voting position of call recipients are not required to include these disclosures.
2. Under the bill, when a person makes an expenditure exceeding \$500 that expressly advocates for or against an initiative or referendum on the ballot through prerecorded automated telephone calls or scripted live telephone calls, the telephone calls must clearly state the name of the person who made or financed the telephone calls. The amendment clarifies that surveys that meet generally accepted standards for polling research and that are not conducted for the purpose of influencing the voting position of call recipients are not required to include this disclosure.
3. It strikes the provision of the bill authorizing a traditionally financed candidate to expend surplus campaign funds on expenses related to a recount.

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4. The bill eliminates the requirement in current law that municipal, district and county party committees submit a campaign finance report within 24 hours of receiving a single contribution of \$5,000 or more or making any expenditure of \$1,000 or more, if that contribution or expenditure is made within the 13 days before a primary election. The amendment clarifies that these so-called 24-hour reports continue to be required when a municipal, district or county party committee receives a single contribution of \$5,000 or more or makes an expenditure of \$1,000 or more within the 13 days before a special election.
5. It removes the provisions of the bill authorizing the Commission on Governmental Ethics and Election Practices to investigate whether a candidate certified as a Maine Clean Election Act candidate meets the qualifications for candidacy and for holding office set forth in the Constitution of Maine.
6. It makes technical changes to the terminology used in several provisions of the campaign finance laws included in the bill.

Enacted Law Summary

Public Law 2019, chapter 323 specifies that appointees to the Commission on Governmental Ethics and Election Practices who fill an unexpired term on the commission for less than two years are eligible to be appointed to two consecutive full terms thereafter. It also authorizes disclosure of a memorandum or report prepared by commission staff on an audit or investigation at the time the memorandum or report is submitted to the commission, as long as the subject of the audit or investigation is provided a prior opportunity to review the memorandum or report to identify confidential or privileged material.

Public Law 2019, chapter 323 also makes a number of changes to the campaign reports and finances laws, including:

1. Expanding the time immediately preceding an election during which the name and address of the person who paid for a media communication that clearly identifies a candidate or the name of the person who paid for a prerecorded or scripted telephone call that clearly identifies a candidate must be disclosed and a statement must be made indicating whether the candidate authorized the media communication or telephone call. Under chapter 323, these disclosures are required if the communication is made during the 28 days preceding a primary election, the 35 days preceding a special election or from Labor Day to the date of a general election. Phone surveys that are not intended to influence someone's vote are exempt from these disclosure requirements;
2. Creating a new requirement that, when a person expends more than \$500 on a prerecorded or scripted telephone call that expressly advocates for or against a referendum question, the name of the person who paid for the telephone call must be clearly stated. Phone surveys that are not intended to influence someone's vote are exempt from this disclosure requirement;
3. Requiring that membership organizations and corporations report paid communications that expressly advocate the election or defeat of a candidate if the cost of those communications is in excess of \$100, rather than \$50 as in current law;
4. Waiving for unopposed candidates the requirement that a candidate for state or county office report to the commission and a candidate for municipal office report to the municipal clerk within 24 hours of receiving a single contribution or making a single expenditure of \$1,000 or more from the 13th day before an election to the day before an election;
5. Waiving for primary elections the requirement that municipal, district and county party committees report to the commission within 24 hours of receiving a single contribution of \$5,000 or more or making a single expenditure of \$1,000 or more from the 13th day before the election to the day before the election;
6. Clarifying the dates that campaign finance reports are due and specifying that party committees, political action

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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

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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.

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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)
LUCHINI 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

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courses for a degree program in the hospitality industry, culinary arts or food sciences. The license authorizes a state-supported postsecondary educational institution to purchase and permit sampling of liquor in conjunction with the educational institution's curriculum.

Committee Amendment "A" (S-185)

This amendment changes the title of the bill and specifies that any accredited postsecondary educational institution in the State that offers a course or courses involving the hospitality industry, culinary arts or food sciences is eligible for a license to permit sampling of liquor by faculty and students who are at least 21 years of age and enrolled in the course or courses. All sampling of liquor must be conducted in accordance with the educational institution's alcohol safety procedures or guidelines.

Enacted Law Summary

Public Law 2019, chapter 282 provides that an accredited postsecondary educational institution in the State that offers a course or courses involving the hospitality industry, culinary arts or food sciences is eligible for a license to permit sampling of liquor by faculty and students who are at least 21 years of age and enrolled in the course or courses. All sampling of liquor must be conducted in accordance with the educational institution's alcohol safety procedures or guidelines.

LD 1761 **An Act To Assist Small Beer Manufacturers and Small Hard Cider Manufacturers**

PUBLIC 529

<u>Sponsor(s)</u>	<u>Committee Report</u>	<u>Amendments Adopted</u>
LUCHINI L GIDEON S	OTP-AM	S-281

This bill changes the definition of "small brewery" by increasing the amount of malt liquor a small brewery may brew from 50,000 gallons to 30,000 barrels per year.

The bill also defines a "small beer manufacturer" as a small brewery or out-of-state brewer that is brewing, lagering and kegging, bottling or packaging its own malt liquor, not to exceed 30,000 barrels per year. If a small beer manufacturer terminates its distribution relationship with a wholesale licensee, unless for good cause, causes a wholesale licensee to resign from an agreement, unless for good cause, or unreasonably withholds its consent to any assignment, transfer or sale of a wholesale licensee's business and that small beer manufacturer's brands make up no more than 3% of the wholesale licensee's business, the bill sets the maximum amount of the termination fee that the wholesale licensee is entitled to receive from that small beer manufacturer in connection with the termination.

The bill amends the laws governing certain notice requirements that the small beer manufacturer must satisfy in connection with the termination, provides expedited arbitration proceedings for a small beer manufacturer and a wholesale licensee in connection with a dispute regarding the amount of the termination fee and provides that, regardless of whether the terminated wholesale licensee has received payment of the termination fee from the small beer manufacturer, upon written notice of the termination to the wholesale licensee, the small beer manufacturer may appoint a new wholesale licensee to distribute the relevant products in the terminated wholesale licensee's territory or, if the small beer manufacturer is a small brewery, sell the terminated brand or brands of the small beer manufacturer directly to retail licensees in the terminated wholesale licensee's territory without selling the brand or brands to a wholesale licensee.

Lastly, this bill allows a wholesale licensee and a small beer manufacturer to agree upon or limit the amount of a termination fee pursuant to a distribution agreement as long as that termination fee does not exceed the maximum amount of the termination fee, as set forth in the bill.

Committee Amendment "A" (S-281)

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This amendment makes the following changes to the bill.

1. It clarifies that only in-state entities are eligible for manufacturing licenses issued by the Department of Administrative and Financial Services, Bureau of Alcoholic Beverages and Lottery Operations under the Maine Revised Statutes, Title 28-A, section 1355-A.
2. Similar to the bill's provision regarding small breweries, it changes the definition of "small winery" by increasing the amount of wine that a small winery may produce. Under current law, a small winery may produce up to 50,000 gallons per year of wine, including hard cider. Under the amendment, a small winery may produce up to 50,000 gallons per year of wine that is not hard cider and may produce up to 3,000 barrels per year of wine that is hard cider.
3. Similar to the definition of "small beer manufacturer" in the bill, it defines "small hard cider manufacturer" as a licensed Maine small winery or out-of-state winery that ferments, ages or bottles any amount of wine, as long as it ferments, ages or bottles no more than 3,000 barrels per year of wine that is hard cider.
4. It applies the provisions of the bill that affect the relationship between a wholesale licensee and a small beer manufacturer to the relationship between a wholesale licensee and a small hard cider manufacturer, including by establishing the amount of reasonable compensation that a small hard cider manufacturer must pay to a wholesale licensee when it terminates the authority of the wholesale licensee to distribute its hard cider products and by authorizing the small hard cider manufacturer to continue selling its products during the arbitration of any dispute between the parties regarding the amount of reasonable compensation.
5. Under current law, when any manufacturer and wholesale licensee disagree over the amount of reasonable compensation due after the manufacturer amends or terminates the contract between the parties in a way that removes the wholesaler's authority to distribute one or more of the manufacturer's brands of liquor, the parties must submit the reasonable compensation question to arbitration. Under the amendment, the arbitrator is directed to issue a written decision on the matter no later than 45 days after the date of the commencement of the arbitration proceeding.
6. The amendment also makes several technical changes and reorganizes the structure of the bill.

Enacted Law Summary

Public Law 2019, chapter 529 makes the following changes to the laws governing the manufacture and distribution of malt liquor and wine, including hard cider, in the State.

1. It clarifies that only in-state entities are eligible for manufacturing licenses issued by the Department of Administrative and Financial Services, Bureau of Alcoholic Beverages and Lottery Operations under the Maine Revised Statutes, Title 28-A, section 1355-A.
2. It increases the amount of malt liquor a "small brewery" may brew from 50,000 gallons to 30,000 barrels per year. Similarly, it increases the amount of wine, including hard cider, that a "small winery" may ferment, age or bottle to 50,000 gallons per year of wine that is not hard cider and 3,000 barrels per year of wine that is hard cider;
3. It defines a "small beer manufacturer" as a licensed Maine small brewery or out-of-state brewer that is brewing, lagering and kegging, bottling or packaging its own malt liquor, not to exceed 30,000 barrels per year. Similarly, it defines a "small hard cider manufacturer" as a licensed Maine small winery or out-of-state winery that ferments, ages or bottles any amount of wine, as long as it ferments, ages or bottles no more than 3,000 barrels per year of wine that is hard cider;
4. It amends the laws governing the notices that a small beer manufacturer or small hard cider manufacturer must provide a wholesale licensee prior to the termination of a distribution agreement. It also establishes the amount of

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reasonable compensation that a wholesale licensee is entitled to receive from a small beer manufacturer or small hard cider manufacturer if that manufacturer terminates its distribution agreement with the wholesale licensee without good cause, causes the wholesale licensee to resign from an agreement without good cause, or unreasonably withholds its consent to any assignment, transfer or sale of the wholesale licensee's business and if the affected brands of malt liquor or hard cider comprise no more than 3% of the wholesale licensee's business and no more than 10,000 case equivalents in the preceding year. The wholesaler and small beer manufacturer or small hard cider manufacturer may, in the distribution agreement, limit the amount of reasonable compensation due in these circumstances, as long as agreed amount does not exceed the statutory amount of reasonable compensation.

5. It provides that, when any manufacturer and wholesale licensee disagree over the amount of reasonable compensation due after the manufacturer amends or terminates the distribution agreement in a way that removes the wholesaler's authority to distribute one or more of the manufacturer's brands of liquor, the neutral arbitrator selected to resolve the question shall issue a written decision on the matter no later than 45 days after the date of the commencement of the arbitration proceeding.

6. It provides that, regardless of whether reasonable compensation for termination of a distribution agreement has yet been paid by a small beer manufacturer or small hard cider manufacturer, upon written notice of the termination to the wholesale licensee, the small beer manufacturer or small hard cider manufacturer may appoint a new wholesale licensee to distribute the relevant products in the terminated wholesale licensee's territory or, if the small beer manufacturer is a small brewery or the small hard cider manufacturer is a small winery, it may sell the terminated brand or brands of malt liquor or hard cider directly to retail licensees in the terminated wholesale licensee's territory without selling the brand or brands to a wholesale licensee.

LD 1797 An Act To Amend the Advance Deposit Wagering Laws

CARRIED OVER

<u>Sponsor(s)</u>	<u>Committee Report</u>	<u>Amendments Adopted</u>
DILLINGHAM K LUCHINI L	OTP-AM OTP-AM	H-635 S-361 LUCHINI L

This bill allows commercial tracks, off-track betting facilities and multijurisdictional account wagering providers to be licensed to participate in advance deposit wagering. It repeals the provision that directs the Department of Public Safety, Gambling Control Board, through a competitive bidding process, to award one bidder the privilege to be licensed to conduct advance deposit wagering. It requires the board to establish by rule the net commission that must be collected by a licensee for distribution by the board.

Committee Amendment "A" (H-635)

This amendment is the majority report of the committee. Like the bill, the amendment allows a commercial track, an off-track betting facility and a multijurisdictional account wagering provider to obtain a license to conduct advance deposit wagering. Unlike the bill, which requires the Department of Public Safety, Gambling Control Board to set the tax rate on advance deposit wagering by rule, the amendment requires advance deposit wagering licensees to remit 4% of the licensees' gross advance deposit wagering income to the Department of Public Safety, Gambling Control Board for distribution by the board.

The amendment also requires licensure of employees of advance deposit wagering licensees, makes several technical changes to add clarity to the bill and adds an appropriations and allocations section.

Committee Amendment "B" (H-636)

This amendment, which is the minority report of the committee, is identical to the majority report except that it requires advance deposit wagering licensees to remit 0.5% of the licensees' gross advance deposit wagering income to the Department of Public Safety, Gambling Control Board for distribution by the board and it prohibits an entity

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that operates advance deposit wagering from receiving a distribution of gross advance deposit wagering income from the board.

This amendment was not adopted.

Senate Amendment "A" To Committee Amendment "A" (S-361)

This amendment defines "gross advance deposit wagering income" as the total amount of wagers placed by Maine residents via advance deposit wagering before payment of money to winning bettors.

This bill was reported out of committee and then carried over to any special or regular session, or both, of the 129th Legislature on the Special Appropriations Table by joint order, H.P. 1322.

LD 1805 An Act To Amend the Laws Governing Military Leave for Officials and State Employees

Leave to Withdraw Pursuant to Joint Rule

<u>Sponsor(s)</u>	<u>Committee Report</u>	<u>Amendments Adopted</u>
STEWART T LUCHINI L		

This bill, which was submitted by the Department of Defense, Veterans and Emergency Management, specifies that military leave given to state officials and employees who are members of the National Guard or Reserves of the United States Armed Forces may not exceed 17 days or 136 hours per calendar year. For full-time employees, military leave is based on an eight-hour work day, and military leave is prorated for part-time employees and employees on uncommon tours of duty. The bill also requires military leave to be charged by the hour and only in the amount necessary to cover the period of military duty.

LD 1806 An Act To Amend the Laws Governing Veterans' Services

PUBLIC 377

<u>Sponsor(s)</u>	<u>Committee Report</u>	<u>Amendments Adopted</u>
STEWART T LUCHINI L	OTP-AM	H-532 S-279 LUCHINI L

This bill, which was submitted by the Department of Defense, Veterans and Emergency Management, changes the name of the Bureau of Maine Veterans' Services within the Department of Defense, Veterans and Emergency Management to the Maine Bureau of Veterans' Services. The bill also revises the laws governing monuments erected in the Maine Veterans' Memorial Cemetery System and adds provisions regarding requirements for burial in green burial sections. The bill allows the Director of the Maine Bureau of Veterans' Services to waive certain requirements in the laws governing educational benefits for children of veterans, expands the type of programs covered by educational benefits to include certificate programs and master's degree programs, allows a student 10 academic years to complete a program and removes the restriction on extending that time.

Committee Amendment "A" (H-532)

This amendment incorporates a fiscal note.

Senate Amendment "A" (S-279)

This amendment:

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1. Removes the requirement in the bill that free tuition be provided to the child of a veteran for a master's degree program; and
2. Provides that the tuition waiver may not exceed the cost of 120 undergraduate credit hours at the in-state tuition rate at the University of Maine campus located at Orono.

Enacted Law Summary

Public Law 2019, chapter 377 changes the name of the Bureau of Maine Veterans' Services within the Department of Defense, Veterans and Emergency Management to the Maine Bureau of Veterans' Services. It also revises the laws governing monuments erected in the Maine Veterans' Memorial Cemetery System and adds provisions regarding requirements for burial in green burial sections.

Public Law 2019, chapter 377 amends the law directing that the child of a veteran who is attending state-supported postsecondary colleges or postsecondary vocational schools must be admitted free of tuition by limiting the tuition waiver to no more than the cost of 120 undergraduate credit hours at the in-state tuition rate at the University of Maine campus located at Orono, expanding the type of programs covered to include not only associate and bachelor's degree programs but also certificate programs, allowing a student 10 academic years to complete a program rather than the six years allowed under current law and removing the two-year maximum on the amount of extended time that the Director of the Maine Bureau of Veterans' Services may grant a student when the student's education has been interrupted by severe medical disability, learning disability, illness or other hardship.

LD 1807 An Act To Amend Certain Laws Related to Members of the Military and the Maine National Guard

PUBLIC 341

<u>Sponsor(s)</u>	<u>Committee Report</u>	<u>Amendments Adopted</u>
STEWART T LUCHINI L	OTP	

This bill, which was submitted by the Department of Defense, Veterans and Emergency Management, makes the following changes in the laws relating to the Department of Defense, Veterans and Emergency Management.

1. It moves the law relating to parental rights and responsibilities of active-duty parents from the laws pertaining to the Military Bureau to the laws governing domestic relations.
2. It limits the award, in any civil action brought under the laws regarding preservation of status and right to benefits of members of the Maine National Guard or the Reserves of the United States Armed Forces, of reasonable attorney's fees and costs to any prevailing member of the Maine National Guard or the Reserves of the United States Armed Forces.
3. It allows any federally recognized general officer currently serving in the Maine National Guard to be appointed Deputy Adjutant General.
4. It eliminates the requirement that a federally recognized officer must command the Joint Force Headquarters.
5. It moves the law relating to security at Maine National Guard military facilities and the real property of the department from the laws pertaining to the activation of state military forces to the laws governing the organization of state military forces. It also allows the provost marshal to receive confidential criminal history records and allows the Maine National Guard to use all means necessary to protect its assets that are inherently dangerous or vital to national security.
6. It repeals the law governing retired officers and the retired list and amends the laws governing the Governor's authority to activate state military forces to allow the Adjutant General or Deputy Adjutant General to call a member

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or retired member of the Maine National Guard, with that member's consent, to perform active state service.

7. It amends the law prohibiting any voluntary active state service without the express order of the Governor to specify that the active state service prohibited is service without pay. It also specifies that members and retired members of the Maine National Guard in active state service pursuant to a cooperative agreement with the Federal Government are entitled to the same pay as is received by persons from the United States Armed Forces, but that the pay may not be less than pay based upon a 12-hour day at the state minimum wage nor more than that allowed pursuant to the cooperative agreement.

8. It allows the Adjutant General to sell the South Portland Air National Guard Station.

9. It adds violations under the motor vehicle laws prohibiting operating under the influence as violations under the Maine Code of Military Justice.

Enacted Law Summary

Public Law 2019, chapter 341 makes the following changes in the laws relating to the Department of Defense, Veterans and Emergency Management.

1. It moves the law relating to parental rights and responsibilities of active-duty parents from the laws pertaining to the Military Bureau to the laws governing domestic relations.

2. It limits the award, in any civil action brought under the laws regarding preservation of status and right to benefits of members of the Maine National Guard or the Reserves of the United States Armed Forces, of reasonable attorney's fees and costs to any prevailing member of the Maine National Guard or the Reserves of the United States Armed Forces.

3. It allows any federally recognized general officer currently serving in the Maine National Guard to be appointed Deputy Adjutant General.

4. It eliminates the requirement that a federally recognized officer must command the Joint Force Headquarters.

5. It moves the law relating to security at Maine National Guard military facilities and the real property of the department from the laws pertaining to the activation of state military forces to the laws governing the organization of state military forces. It also allows the provost marshal to receive confidential criminal history records and allows the Maine National Guard to use all means necessary to protect its assets that are inherently dangerous or vital to national security.

6. It repeals the law governing retired officers and the retired list and amends the laws governing the Governor's authority to activate state military forces to allow the Adjutant General or Deputy Adjutant General to call a member or retired member of the Maine National Guard, with that member's consent, to perform active state service.

7. It amends the law prohibiting any voluntary active state service without the express order of the Governor to specify that the active state service prohibited is service without pay. It also specifies that members and retired members of the Maine National Guard in active state service pursuant to a cooperative agreement with the Federal Government are entitled to the same pay as is received by persons from the United States Armed Forces, but that the pay may not be less than pay based upon a 12-hour day at the state minimum wage nor more than that allowed pursuant to the cooperative agreement.

8. It allows the Adjutant General to sell the South Portland Air National Guard Station.

9. It adds violations under the motor vehicle laws prohibiting operating under the influence as violations under the Maine Code of Military Justice.

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LD 1826 An Act To Update the Laws Relating to Liquor Licensing and Enforcement

PUBLIC 404

<u>Sponsor(s)</u>	<u>Committee Report</u>	<u>Amendments Adopted</u>
LUCHINI L	OTP-AM OTP-AM	S-293

This bill, which was submitted by the Department of Administrative and Financial Services, makes technical changes and corrections to the laws governing liquor including by changing the phrase "distilled spirits" to "spirits" and the phrase "alcoholic beverages" to "liquor" to be consistent with defined terms; changing the phrase "list price" to "retail price" to refer to the price of spirits that is set by the State Liquor and Lottery Commission and paid by consumers; and changing the phrase "discounted list price" to "wholesale price" to describe the price below the retail price that is charged to a small distiller when it purchases its spirits from the State to sell directly to customers. The bill removes outdated language regarding the control of the spirits business by the bureau and the sale of fortified wines, corrects a reference to "agent" to read "sales representative" and corrects a reference regarding the issuance of licenses to manufacturers, bottlers and rectifiers to clarify that the bureau and not the commission issues those licenses.

The bill clarifies that a previous violation of either the laws or the rules governing liquor disqualifies an applicant from receiving an agency liquor store license if the violation has been adjudicated by the District Court.

The bill authorizes the Department of Administrative and Financial Services, Bureau of Alcoholic Beverages and Lottery Operations to offer instant redeemable coupons to consumers through the bureau's publicly accessible website and other digital media platforms; under current law, these coupons may only be offered by spirits manufacturers and suppliers. The bill removes the authority of reselling agents to offer instant redeemable coupons for the benefit of on-premises licensees.

The bill increases the number of allowable signs used by retail licensees from two to five and requires that agency liquor store licensees designate two of the five signs to advertise that the retail location is an agency liquor store.

The bill authorizes spirits "brokers," defined as persons who represent suppliers or manufacturers of spirits, to participate in up to 10 taste-testing events for the public per year.

The bill amends the law authorizing sales representatives of spirits manufacturers or suppliers to provide samples of spirits to retail licensees. It repeals the requirements that sales representatives purchase the samples from the State's wholesale liquor provider and pay taxes on the samples and enacts new language requiring the sales representative to take the samples from the bailment inventory of a supplier housed at the warehouse managed by the State's wholesale liquor provider. The bill also authorizes spirits manufacturers and suppliers to donate spirits to on-premises events in a similar manner as certificate of approval holders and wholesalers.

Committee Amendment "A" (S-293)

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

1. It makes technical changes to reflect the emergency enactment of Public Law 2019, chapter 79 and Public Law 2019, chapter 168.
2. It moves provisions of current law that authorize the Department of Administrative and Financial Services, Bureau of Alcoholic Beverages and Lottery Operations to, in special circumstances, set prices on spirits at different levels than those established by the State Liquor and Lottery Commission from a section of the Maine Revised Statutes, Title 28-A related to the state tax on spirits to a section of Title 28-A related to the administration of the spirits business by the bureau.

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3. It clarifies that an on-premises retail licensee must purchase spirits from an agency liquor store that is licensed as a reselling agent.
4. It authorizes the bureau or a manufacturer or supplier of spirits to offer instant redeemable coupons to customers through a publicly accessible website, digital media platform or print media.
5. It expands the list of entities that may benefit from a donation of liquor to be auctioned or offered as a prize for fund-raising purposes or sold by a licensed on-premises retailer during a fund-raising event to include a county, city, town or municipal agency or department.
6. It allows a licensed on-premises retailer to deliver a serving or drinks containing up to four-and-one-half ounces of spirits to a person at one time.
7. It clarifies the section of the bill that prohibits placing more than five signs advertising the sale of liquor on the outside of any licensed retail premises. Under the amendment, neither a sign in which the only reference to liquor is the name of the licensed premises or an image accompanying the name of the licensed premises nor a patio umbrella that bears the brand name or image of a liquor product and that is located in the outside seating area of a licensed premises counts as one of the five permitted signs.
8. The bill authorizes a "broker", which is defined as a person who represents suppliers and manufacturers of spirits, to conduct up to 10 spirits taste-testing events per year. The amendment further authorizes a spirits supplier or "foreign manufacturer", which is defined as a person who produces spirits outside of the State, to obtain a license to conduct up to 10 spirits taste-testing events per year.
9. It clarifies that revenue from the state tax on spirits must be transferred to the Liquor Operation Revenue Fund established in Title 30-A, section 6054 and to the General Fund.

Committee Amendment "B" (S-294)

This amendment, which is the minority report of the committee, is identical to the majority report of the committee except that it removes the provisions of the bill authorizing the bureau to offer instant redeemable coupons to spirits customers through a publicly accessible website or digital media platform.

This amendment was not adopted.

Enacted Law Summary

Public Law 2019, chapter 404 makes the following changes to the liquor laws.

1. It makes technical changes and corrections including by changing the phrase "distilled spirits" to "spirits" and the phrase "alcoholic beverages" to "liquor" to be consistent with defined terms and changing the phrase "list price" to "retail price" to refer to the price of spirits that is set by the State Liquor and Lottery Commission and paid by consumers. It removes outdated language regarding the control of the spirits business by the bureau and the sale of fortified wines, corrects a reference to "agent" to read "sales representative" and corrects a reference regarding the issuance of licenses to manufacturers, bottlers and rectifiers to clarify that the bureau and not the commission issues those licenses.
2. It moves provisions of current law that authorize the Department of Administrative and Financial Services, Bureau of Alcoholic Beverages and Lottery Operations to, in special circumstances, set prices on spirits at different levels than those established by the State Liquor and Lottery Commission from a section of the Maine Revised Statutes, Title 28-A related to the state tax on spirits to a section of Title 28-A related to the administration of the spirits business by the bureau.

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- 3. It clarifies that a previous violation of either the laws or the rules governing liquor disqualifies an applicant from receiving an agency liquor store license if the violation has been adjudicated by the District Court.
- 4. It clarifies that an on-premises retail licensee must purchase spirits from an agency liquor store that is licensed as a reselling agent.
- 5. It authorizes the bureau or a manufacturer or supplier of spirits to offer instant redeemable coupons to customers through a publicly accessible website, digital media platform or print media. It removes the authority of reselling agents to offer instant redeemable coupons for the benefit of on-premises licensees.
- 6. It authorizes spirits manufacturers and suppliers to donate spirits to on-premises events in a similar manner as certificate of approval holders and wholesalers and expands the list of entities that may benefit from a donation of liquor to be auctioned or offered as a prize for fund-raising purposes or sold by a licensed on-premises retailer during a fund-raising event to include a county, city, town or municipal agency or department.
- 7. It allows a licensed on-premises retailer to deliver a serving or drinks containing up to four-and-one-half ounces of spirits to a person at one time.
- 8. It increases the number of allowable signs advertising the sale of liquor used by retail licensees from two to five and requires that agency liquor store licensees designate two of the five signs to advertise that the retail location is an agency liquor store. It clarifies that neither a sign in which the only reference to liquor is the name of the licensed premises or an image accompanying the name of the licensed premises nor a patio umbrella that bears the brand name or image of a liquor product and that is located in the outside seating area of a licensed premises count as one of the five allowable signs.
- 9. It authorizes a spirits supplier, foreign manufacturer of spirits or a spirits broker to conduct up to 10 spirits taste-testing events per year.
- 10. It repeals the requirements that sales representatives purchase from the State's wholesale liquor provider and pay taxes on spirits samples that the sales representative will provide to retail licensees and instead requires the sales representative obtain spirits that will be provided to retail licensees as samples from the bailment inventory of a supplier housed at the warehouse managed by the State's wholesale liquor provider.
- 11. It clarifies that revenue from the state tax on spirits must be transferred to the Liquor Operation Revenue Fund established in Title 30-A, section 6054 and to the General Fund.

**LD 1837 Resolve, Regarding Legislative Review of Chapter 1: Adult Use
Marijuana, a Late-filed Major Substantive Rule of the Department of
Administrative and Financial Services, Office of Marijuana Policy**

CARRIED OVER

Sponsor(s)

Committee Report

Amendments Adopted

This resolve provides for legislative review of Chapter 1: Adult Use Marijuana, a major substantive rule of the Department of Administrative and Financial Services, office of marijuana policy that was filed outside the legislative rule acceptance period.

The substance of this resolve was incorporated in Public Law 2019, chapter 491 (LD 719).

This resolve was carried over to any special or regular session, or both, of the 129th Legislature by joint order, H.P. 1322.

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SUBJECT INDEX

Adult Use Marijuana

Enacted

LD 719 **An Act Regarding Adult Use Marijuana** **PUBLIC 491**

Not Enacted

LD 720 **An Act Regarding Maine's Adult Use Marijuana Law** **CARRIED OVER**

LD 999 **An Act To Allow Medical and Adult Use Marijuana Stores To Share a Common Space** **CARRIED OVER**

LD 1081 **An Act To Impose Further Restrictions on where Marijuana May Be Smoked** **CARRIED OVER**

LD 1432 **An Act To Improve the Adult Use Marijuana Laws** **CARRIED OVER**

LD 1444 **An Act To Make the Distance to Schools for Marijuana Establishments Consistent with the Liquor Laws** **CARRIED OVER**

LD 1545 **An Act Regarding the Testing of Adult Use Marijuana and Marijuana Products** **CARRIED OVER**

LD 1621 **An Act To Allow Delivery of Adult Use Marijuana and Adult Use Marijuana Products by an Approved Marijuana Store** **CARRIED OVER**

LD 1837 **Resolve, Regarding Legislative Review of Chapter 1: Adult Use Marijuana, a Late-filed Major Substantive Rule of the Department of Administrative and Financial Services, Office of Marijuana Policy** **CARRIED OVER**

Alcoholic Beverages, Administration

Enacted

LD 25 **An Act To Implement the Recommendations of the Government Oversight Committee Regarding Bureau of Alcoholic Beverages and Lottery Operations Reporting Requirements** **PUBLIC 13**

LD 1015 **An Act To Support Maine Craft Distillers** **PUBLIC 168
EMERGENCY**

Not Enacted

LD 702	An Act Regarding the Pricing of Spirits	Leave to Withdraw Pursuant to Joint Rule 310
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Alcoholic Beverages, Regulation

Enacted

LD 116	An Act To Extend the Duration of Temporary Licenses for Sale and Consumption of Liquor	PUBLIC 8 EMERGENCY
LD 217	An Act To Aid Certain Veterans' Organizations	PUBLIC 44
LD 254	An Act To Clarify Liquor Label Approval and Registration Requirements	PUBLIC 46
LD 365	An Act To Allow Flexible Business Hours for Certain Agency Liquor Stores	PUBLIC 48
LD 737	An Act To Update Alcohol Taste-testing Requirements	PUBLIC 79 EMERGENCY
LD 805	An Act To Clarify the Laws Governing Taste Testing and Retail Sales of Liquor at Farmers' Markets and To Allow Retail Sales at Other Taste-testing Events	PUBLIC 360
LD 853	An Act To Facilitate Weekend Malt Liquor Purchases by Licensed Establishments	PUBLIC 122
LD 1078	An Act Regarding the Number of Agency Liquor Store Licenses Permitted in a Municipality	PUBLIC 74
LD 1495	Resolve, Regarding the Revision of Title 28-A of the Maine Revised Statutes	RESOLVE 15
LD 1619	An Act Regarding Licenses for the Sale of Liquor for On-premises Consumption	PUBLIC 167 EMERGENCY
LD 1680	An Act To Authorize Common Consumption Area Licenses for the Consumption of Alcoholic Beverages within Designated Entertainment Districts	PUBLIC 281
LD 1734	An Act To Create a Postsecondary Educational Institution Sampling License	PUBLIC 282
LD 1761	An Act To Assist Small Beer Manufacturers and Small Hard Cider Manufacturers	PUBLIC 529

LD 1826 **An Act To Update the Laws Relating to Liquor Licensing and Enforcement** **PUBLIC 404**

Not Enacted

LD 1020 **An Act to Modify the Number of Retail Liquor Licenses Allowed in Certain Municipalities** **ONTP**

LD 1068 **An Act To Increase the Number of Agency Liquor Stores Permitted in Municipalities with 10,000 to 20,000 Residents** **ONTP**

LD 1357 **An Act Regarding State Licensure for the Sale of Spirits for Off-premises Consumption** **Majority (ONTP) Report**

Ballot Qualifications

Not Enacted

LD 95 **An Act To Clarify Residency Requirements for Legislative Candidates** **Majority (ONTP) Report**

LD 517 **An Act To Facilitate Fair Ballot Representation for All Candidates** **HELD BY GOVERNOR**

LD 722 **An Act To Require Presidential and Vice-Presidential Candidates To Disclose Their Federal Income Tax Returns** **Majority (ONTP) Report**

Campaign Finance, Generally

Enacted

LD 256 **An Act To Ensure Responsible Operation of Political Action Committees** **PUBLIC 21**

LD 780 **An Act To Change Municipal Campaign Contribution Limits** **PUBLIC 51**

Not Enacted

LD 361 **An Act To Amend the Laws Governing Political Action Committees** **Majority (ONTP) Report**

LD 1187 **An Act To Apply the Same Auditing Standards to All Legislative Candidates** **CARRIED OVER**

Campaign Finance, Maine Clean Election Act

Enacted

LD 23	Resolve, Regarding Legislative Review of Portions of Chapter 3: Maine Clean Election Act and Related Provisions, a Major Substantive Rule of the Commission on Governmental Ethics and Election Practices	RESOLVE 6 EMERGENCY
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Not Enacted

LD 11	An Act Regarding the Acceptance of Maine Clean Election Act Campaign Contributions on State Websites	Majority (ONTP) Report
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LD 202	An Act To Increase the Required Number of Qualifying Contributions Gubernatorial Candidates Must Obtain To Qualify as Maine Clean Election Act Candidates	Majority (ONTP) Report
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LD 218	An Act To Prohibit a Person from Collecting Contributions under the Maine Clean Election Act at a Polling Place	ONTP
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LD 411	Resolve, Directing the Commission on Governmental Ethics and Election Practices To Allow Maine Clean Election Act Funds To Be Used for Election Recounts	ONTP
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LD 874	An Act To Conform the Clean Election Financing Laws to the Judicially Determined Procedures	ONTP
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LD 878	An Act To Make Clean Election Filing Deadlines Consistent for All Candidates	Majority (ONTP) Report
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LD 929	An Act Regarding the Use of Maine Clean Election Act Funds for Salaries	Majority (ONTP) Report
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LD 1686	An Act To Allow Maine Clean Election Act Funds To Be Used for Election Recounts	Majority (ONTP) Report
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Commission on Governmental Ethics and Election Practices

Enacted

LD 1721	An Act To Amend the Campaign Reports and Finances Laws and the Maine Clean Election Act	PUBLIC 323
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Conduct of Elections

Enacted

LD 514	An Act To Amend the Laws Governing the Political Party Representation of Election Clerks	PUBLIC 64
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LD 1026	Resolve, Directing the Secretary of State To Examine Best Practices in Elections	RESOLVE 48
LD 1626	An Act To Implement a Presidential Primary System in Maine	PUBLIC 445
LD 1663	An Act To Clarify Ranked-choice Voting Laws	PUBLIC 320
LD 1730	An Act To Amend the Laws Governing Elections	PUBLIC 371

Not Enacted

LD 114	An Act To Establish Open Primaries for Certain Federal and State Offices	Majority (ONTP) Report
LD 211	An Act To Open Maine's Primaries and Permit Unenrolled Voters To Cast Ballots in Primary Elections	Majority (ONTP) Report
LD 245	An Act To Reestablish a Presidential Primary System in Maine	ONTP
LD 272	An Act To Allow Voting by Mail	ONTP
LD293	An Act Regarding Early Voting in Person	ONTP
LD 418	An Act To Implement the National Popular Vote for President	ONTP
LD 619	RESOLUTION, Proposing an Amendment to the Constitution of Maine Regarding Early Voting	CARRIED OVER
LD 667	RESOLUTION, Proposing an Amendment to the Constitution of Maine To Require That the Governor Be Elected by a Majority Vote	ONTP
LD 753	An Act To Allow Voters To Choose Ongoing Absentee Voter Status	ONTP
LD 816	An Act To Implement the National Popular Vote for President of the United States	Died Between Houses
LD 845	An Act To Secure the Integrity of Elections When the Secretary of State Is a Candidate	Leave to Withdraw Pursuant to Joint Rule 310
LD 1083	An Act To Implement Ranked-choice Voting for Presidential Primary and General Elections in Maine	CARRIED OVER

LD 1196	RESOLUTION, Proposing an Amendment to the Constitution of Maine To Implement Ranked-choice Voting	ONTP
LD 1213	An Act To Repeal the Ranked-choice Voting Law	Majority (ONTP) Report
LD 1332	RESOLUTION, Proposing an Amendment to the Constitution of Maine To Require State and Congressional Elections To Be Decided by a Plurality of Votes Cast	Majority (ONTP) Report
LD 1365	RESOLUTION, Proposing an Amendment to the Constitution of Maine To Provide for the Election of the Governor by Majority Vote	ONTP
LD 1447	An Act To Simplify Voting in Maine by Placing a Moratorium on Ranked-choice Voting	Majority (ONTP) Report
LD 1454	An Act Concerning Elections in Maine Congressional Districts	Majority (ONTP) Report
LD 1477	RESOLUTION, Proposing an Amendment to the Constitution of Maine To Facilitate the Use of Ranked-choice Voting for Governor and Members of the Legislature	CARRIED OVER
LD 1631	RESOLUTION, Proposing an Amendment to the Constitution of Maine Concerning Early Voting, Voting by Absentee Ballot and Voting by Mail	ONTP

Defense, Veterans and Emergency Management

Enacted

LD 1806	An Act To Amend the Laws Governing Veterans' Services	PUBLIC 377
LD 1807	An Act To Amend Certain Laws Related to Members of the Military and the Maine National Guard	PUBLIC 341

Gambling, Beano and Games of Chance

Enacted

LD 34	An Act To Clarify Game of Chance Licensing Requirements	PUBLIC 60
LD 131	An Act To Permit a Veterans Organization To Lease Its Facility to an Organization That Is Registered To Operate Beano or Bingo Games without Obtaining a Commercial Beano Hall Permit	PUBLIC 24 EMERGENCY
LD 158	An Act To Amend the Laws Governing Beano	PUBLIC 56
LD 253	An Act To Clarify the Requirements for High-hand Competitions in Games of Chance Tournament Games	PUBLIC 119

LD 352	An Act Regarding Licensing Fees for Certain Tournament Games	PUBLIC 63
LD 1154	An Act To Increase the Betting Limit on Games of Chance at Fairs and Festivals and To Expand Allowed Operation	PUBLIC 117 EMERGENCY
LD 1268	An Act To Update and Clarify the Laws Governing Raffles	PUBLIC 129

Not Enacted

LD 1456	An Act To Amend the Laws Governing Raffles	ONTP
LD 1493	An Act To Exempt Cribbage and Other Card Games from Licensing and Regulation When Conducted by Certain Organizations	ONTP

Gambling, Casinos and Slot Machines

Not Enacted

LD 661	An Act To Increase Gaming Opportunities for Charitable Veterans' Organizations	CARRIED OVER
LD 715	An Act To Change the Allocation Formula for Revenue from Slot Machines	ONTP
LD 1144	An Act To Authorize Tribal Gaming	CARRIED OVER
LD 1244	An Act To Authorize the Gambling Control Board To Accept an Application from the Passamaquoddy Tribe To Operate 50 Slot Machines in the Tribe's High-stakes Beano Facility	CARRIED OVER

Gambling, Generally

Not Enacted

LD 1633	An Act To Legalize Keno and Historical Instant Racing	Majority (ONTP) Report
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Gambling, Lottery

Not Enacted

LD 631	An Act To Fund the Operations of the Tick Identification Laboratory in the University of Maine Cooperative Extension Diagnostic and Research Laboratory	ONTP
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Gambling, Sports and Fantasy Contests

Not Enacted

LD 553	An Act To Ensure Proper Oversight of Sports Betting in the State	HELD BY GOVERNOR
LD 1348	An Act To Authorize Sports Wagering	ONTP
LD 1515	An Act To Allow Sports Wagering in Maine	ONTP
LD 1571	An Act To Establish the Exclusive Right of the Federally Recognized Indian Tribes in the State To Conduct All Sports Betting in Maine	ONTP
LD 1642	An Act Regarding the Regulation of Sports Wagering	ONTP
LD 1656	An Act To Provide for the Regulation of Sports Wagering	ONTP
LD 1657	An Act To Regulate Sports Wagering	ONTP

Harness Racing and Off-track Betting

Not Enacted

LD 1797	An Act To Amend the Advance Deposit Wagering Laws	CARRIED OVER
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Initiatives and Referenda

Enacted

LD 499	An Act To Collect Data Regarding How Payment Is Made for Collection of Signatures for Direct Initiatives and People's Veto Referendums	PUBLIC 456
LD 534	An Act To Make Ballot Questions Easier To Read and Understand for Maine Voters	PUBLIC 414 EMERGENCY

**LD 1437 RESOLUTION, Proposing an Amendment to the Constitution of Maine
Concerning Alternative Signatures Made by Persons with Disabilities CON RES 1**

Not Enacted

**LD 252 RESOLUTION, Proposing an Amendment to the Constitution of Maine To
Prohibit New or Increased Fees or Taxes by Means of Direct Initiatives of
Legislation Majority (ONTP)
Report**

**LD 255 Resolution, Proposing an Amendment to the Constitution of Maine To
Require That Signatures on a Direct Initiative of Legislation Come from
Each Congressional District Died Between Houses**

**LD 294 An Act To Require the Fiscal Impact Estimate of a Direct Initiative of
Legislation To Be Included on the Ballot ONTP**

**LD 374 RESOLUTION, Proposing an Amendment to the Constitution of Maine To
Require That Signatures on a Direct Initiative of Legislation Come from
Each State Senatorial District Majority (ONTP)
Report**

**LD 1255 RESOLUTION, Proposing an Amendment to the Constitution of Maine To
Require Referenda To Receive 60 Percent of the Vote To Become Law Majority (ONTP)
Report**

LD 1438 An Act To Clarify the Intent of Referendum Questions for Voters ONTP

**LD 1565 RESOLUTION, Proposing an Amendment to the Constitution of Maine To
Protect Voter-approved Measures ONTP**

**LD 1583 An Act To Enact the Maine Citizens' Initiatives Clean Election Act Majority (ONTP)
Report**

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

Lobbying and Lobbyists

Enacted

LD 76 An Act To Strengthen the Integrity of the Legislature PUBLIC 57

Not Enacted

**LD 54 An Act To Limit the Influence of Lobbyists by Expanding the Prohibition
on Accepting Political Contributions HELD BY
GOVERNOR**

Maine National Guard

Not Enacted

LD 1805	An Act To Amend the Laws Governing Military Leave for Officials and State Employees	Leave to Withdraw Pursuant to Joint Rule 310
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Veterans

Enacted

LD 184	An Act To Amend the Veterans' Homelessness Prevention Coordination Program	PUBLIC 504 EMERGENCY
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Not Enacted

LD 171	Resolve, To Establish a Pilot Project To Evaluate and Address the Transportation Needs of Maine's Veterans	CARRIED OVER
LD 501	An Act To Provide Funding for the Homeless Veterans Center in Caribou	ONTP
LD 510	An Act To Authorize Funding for Transitional Housing for Women Veterans and Their Families	CARRIED OVER
LD 835	An Act To Increase Funding for Case Managers for Veterans	CARRIED OVER
LD 1226	An Act To Make Criteria for State Veterans' Benefits Consistent within the Maine Revised Statutes	ONTP

Voter Qualifications and Registration

Enacted

LD 1463	An Act To Create an Automatic Voter Registration System	PUBLIC 409
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Not Enacted

LD 186	RESOLUTION, Proposing an Amendment to the Constitution of Maine To Specify the Qualifications of Electors	Died Between Houses
LD 322	An Act To Strengthen Maine's Election Laws by Requiring Photographic Identification for the Purpose of Voting	Majority (ONTP) Report
LD 1372	RESOLUTION, Proposing an Amendment to the Constitution of Maine To Ensure That Voting Rights Belong Only to Citizens in Municipal or Other Local Elections	Died Between Houses

LD 1570	An Act To Allow Residents To Register Online To Vote	ONTP
LD 1665	An Act To Automatically Change a Voter Registration Address upon Change of Address for a Driver's License	ONTP
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