

# MAINE STATE LEGISLATURE

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**LAWS**  
**OF THE**  
**STATE OF MAINE**

**AS PASSED BY THE**

**ONE HUNDRED AND TWENTY-NINTH LEGISLATURE**

**FIRST SPECIAL SESSION**

**August 26, 2019**

**SECOND REGULAR SESSION**

**January 8, 2020 to March 17, 2020**

**THE GENERAL EFFECTIVE DATE FOR  
FIRST SPECIAL SESSION**

**NON-EMERGENCY LAWS IS**

**NOVEMBER 25, 2019**

**THE GENERAL EFFECTIVE DATE FOR  
SECOND REGULAR SESSION**

**NON-EMERGENCY LAWS IS**

**JUNE 16, 2020**

**PUBLISHED BY THE REVISOR OF STATUTES  
IN ACCORDANCE WITH THE MAINE REVISED STATUTES ANNOTATED,  
TITLE 3, SECTION 163-A, SUBSECTION 4.**

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**Augusta, Maine  
2020**

**Sec. 3. 3 MRSA §317, sub-§1, ¶E-1**, as enacted by PL 2009, c. 282, §4, is amended to read:

E-1. When expenditures made or incurred for the purposes of indirect grassroots lobbying exceed \$15,000 \$2,000 during the month that is the subject of the report, the specific dollar amount of expenditures for indirect grassroots lobbying made or incurred during the month by a lobbyist, lobbyist associate or employer, with separate totals for expenditure categories as determined by the commission, and the legislative actions that are the subject of the indirect grassroots lobbying and a general description of the intended recipients. Salaries paid to the employer's regular employees are not expenditures for the purposes of this paragraph and are exempt from disclosure under this paragraph;

**Sec. 4. 3 MRSA §317-A** is enacted to read:

**§317-A. Grassroots lobbying report**

Except for a lobbyist filing a monthly report under section 317, subsection 1, paragraph E-1, a person who makes or incurs expenditures in excess of \$2,000 during a calendar month for purposes of grassroots lobbying shall file with the commission a report no later than 11:59 p.m. on the 15th day of the calendar month following the date on which that amount was exceeded. For purposes of this section, expenditures include payments of money made to independent contractors and other vendors to purchase goods and services such as advertising, graphic or website design, video or audio production services, telecommunications services, printing and postage. Salaries paid to the person's employees are not expenditures for the purposes of this section and are exempt from disclosure under this section.

**1. Report.** A grassroots lobbying report filed pursuant to this section must include:

- A. The name of the person required to file the report;
- B. The name of an individual serving as the contact for the person;
- C. The business address and other contact information for the person;
- D. A description of the business activity or mission of the person;
- E. The specific amount of expenditures for grassroots lobbying made or incurred during the month that is the subject of the report, with separate totals for expenditure categories as determined by the commission;
- F. The legislative actions that are the subject of the grassroots lobbying; and
- G. A list of all of the person's original sources and a statement of the amount paid by each original

source. If an original source is a corporation formed under Title 13 or former Title 13-A, a non-profit corporation formed under Title 13-B or a limited partnership under Title 31, the corporation, nonprofit organization or limited partnership, not the individual members, must be listed as the original source.

**Sec. 5. Effective date.** This Act takes effect December 1, 2020.

Effective December 1, 2020.

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**CHAPTER 600**

**H.P. 1360 - L.D. 1906**

**An Act To Amend the Laws  
Governing the Composition of  
the Shellfish Advisory Council**

**Be it enacted by the People of the State of Maine as follows:**

**Sec. 1. 12 MRSA §6038, sub-§1**, as enacted by PL 2007, c. 606, Pt. A, §2, is amended to read:

**1. Appointment; composition.** The Shellfish Advisory Council, referred to in this section as "the council" and established by Title 5, section 12004-I, subsection 57-G, consists of ~~13~~ **14** members who are appointed by the commissioner as follows:

- A. Four members who are commercial shellfish license holders, ~~at least 3 of whom must be primarily soft-shell clam harvesters.~~ In making the appointments under this paragraph, the commissioner shall consider up to 6 recommendations from associations representing the interests of persons who harvest shellfish commercially;
- B. Two members who are shellfish aquaculture lease holders. In making the appointments under this paragraph, the commissioner shall consider up to 3 recommendations from associations representing the interests of persons who raise shellfish under aquaculture leases;
- C. One member who ~~represents the interests of municipalities with wastewater treatment systems~~ is a municipal official involved in pollution permitting or mitigation;
- D. Two members who are licensed wholesale seafood dealers who have been issued a shellfish sanitation certificate by the department pursuant to section 6856, subsection 1. In making the appointments under this paragraph, the commissioner shall consider up to 3 recommendations from associations representing the interests of persons who buy and sell shellfish;
- E. One public member with knowledge of and interest in coastal water quality;

F. ~~Two members who are municipal shellfish wardens. In making the appointments under this paragraph, the commissioner shall solicit and consider up to 3 recommendations for these 2 appointments from associations representing the interests of persons who protect and help manage municipal shellfish resources officials, including, but not limited to, a municipal shellfish conservation warden or a member of a municipal shellfish management committee, as described in section 6671, subsection 2; and~~

G. One member who has been issued a shellfish deputation certificate under section 6856, subsection 3; ~~or who is designated by the department as an authorized representative of the holder of the shellfish deputation certificate; and~~

H. One member who has a demonstrated knowledge of biological science and, at a minimum, a bachelor's degree. The commissioner shall make a reasonable effort to appoint a member who has at least 5 years of relevant experience.

The commissioner shall make appointments so that the composition of the council reflects a geographic distribution along the coast of the State.

**Sec. 2. Completion of term.** Notwithstanding the Maine Revised Statutes, Title 12, section 6038, subsection 1, a person who is a member of the Shellfish Advisory Council on the effective date of this Act may continue to serve on the council until the expiration of that person's term.

See title page for effective date.

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**CHAPTER 601**  
**S.P. 668 - L.D. 1926**

**An Act To Amend the Laws  
Governing the Maine Veterans'  
Memorial Cemetery System**

**Be it enacted by the People of the State of Maine as follows:**

**Sec. 1. 37-B MRSA §504, sub-§4, ¶A-1,** as amended by PL 2007, c. 521, §1, is further amended to read:

A-1. As used in this subsection, unless the context indicates otherwise, the following terms have the following meanings.

(1) "Eligible dependent" means ~~the wife, husband, surviving spouse, unmarried minor child, unmarried dependent child enrolled in secondary school or unmarried adult child who became incapable of self support before reaching 18 years of age on account of mental or physical disabilities.;~~

(a) The spouse or surviving spouse of an eligible veteran even if that veteran is not buried or memorialized in the cemetery system or the surviving spouse of a member of the United States Armed Forces whose remains are unavailable for burial;

(b) The surviving spouse of an eligible veteran who had a subsequent remarriage to a person who is not a veteran when the surviving spouse's death occurred on or after January 1, 2000;

(c) A minor child of an eligible veteran. For purposes of this division, a minor child is a child who is unmarried and:

(i) Has not attained 21 years of age; or

(ii) Has not attained 23 years of age and is pursuing a full-time course of instruction at an educational institution offering an accredited postsecondary educational degree program; and

(d) An unmarried adult child of an eligible veteran if that child became permanently physically or mentally disabled and incapable of self-support:

(i) Before attaining 21 years of age; or

(ii) Before attaining 23 years of age if supporting documentation exists that the adult child was pursuing a full-time course of instruction at an educational institution offering an accredited postsecondary educational degree program.

(2) "Eligible veteran" means any person who:

(a) Served in the active United States Armed Forces and who:

(i) If discharged, received an honorable discharge or a general discharge under honorable conditions, ~~provided that~~ as long as the discharge was not upgraded through a program of general amnesty; and

(ii) If having served as an enlisted person after September 7, 1980 or as an officer after October 16, 1981, served for a minimum of 24 continuous months or the full period for which the person was called to active duty;

(b) Served in the Maine National Guard and died as a result of injury, disease or