

MAINE STATE LEGISLATURE

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STATE OF MAINE
125TH LEGISLATURE
SECOND REGULAR SESSION



Summaries of bills, adopted amendments and laws enacted or finally passed

**JOINT STANDING COMMITTEE ON VETERANS
AND LEGAL AFFAIRS**

June 2012

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STATE OF MAINE

125TH LEGISLATURE
SECOND REGULAR SESSION



LEGISLATIVE DIGEST OF BILL SUMMARIES AND ENACTED LAWS

This *Legislative Digest of Bill Summaries and Enacted Laws* summarizes all LDs and adopted amendments and all laws enacted or finally passed during the Second Regular Session of the 125th Maine Legislature.

The *Digest* is arranged alphabetically by committee and within each committee by Legislative Document (LD) number. The committee report(s), prime sponsor and lead co-sponsor(s), if designated, are listed below each LD title. All adopted amendments are summarized and listed by paper number. A subject index is included with each committee. The appendices include a summary of relevant session statistics, an index of all bills by LD number and an index of enacted laws by law type and chapter number.

Final action on each LD is noted to the right of the LD title. The following describes the various final actions.

| | |
|---|--|
| <i>CARRIED OVER</i> | <i>carried over to a subsequent session of the Legislature</i> |
| <i>CON RES XXX</i> | <i>chapter # of constitutional resolution passed by both houses</i> |
| <i>CONF CMTE UNABLE TO AGREE</i> | <i>Committee of Conference unable to agree; legislation died</i> |
| <i>DIED BETWEEN HOUSES</i> | <i>House & Senate disagreed; legislation died</i> |
| <i>DIED IN CONCURRENCE</i> | <i>defeated in each house, but on different motions; legislation died</i> |
| <i>DIED ON ADJOURNMENT</i> | <i>action incomplete when session ended; legislation died</i> |
| <i>EMERGENCY</i> | <i>enacted law takes effect sooner than 90 days after session adjournment</i> |
| <i>FAILED, EMERGENCY ENACTMENT or FINAL PASSAGE</i> | <i>emergency failed to receive required 2/3 vote</i> |
| <i>FAILED, ENACTMENT or FINAL PASSAGE</i> | <i>failed to receive final majority vote</i> |
| <i>FAILED, MANDATE ENACTMENT</i> | <i>legislation proposing local mandate failed required 2/3 vote</i> |
| <i>HELD BY GOVERNOR</i> | <i>Governor has not signed; final disposition to be determined at subsequent session</i> |
| <i>LEAVE TO WITHDRAW</i> | <i>sponsor's request to withdraw legislation granted</i> |
| <i>NOT PROPERLY BEFORE THE BODY</i> | <i>ruled out of order by the presiding officer; legislation died</i> |
| <i>INDEF PP</i> | <i>indefinitely postponed; legislation died</i> |
| <i>ONTP, ACCEPTED, MAJORITY, MINORITY or REPORT X</i> ... | <i>ought-not-to-pass report accepted; legislation died</i> |
| <i>P&S XXX</i> | <i>chapter # of enacted private & special law</i> |
| <i>PUBLIC XXX</i> | <i>chapter # of enacted public Law</i> |
| <i>RESOLVE XXX</i> | <i>chapter # of finally passed resolve</i> |
| <i>VETO SUSTAINED</i> | <i>Legislature failed to override Governor's veto</i> |

The effective date for non-emergency legislation enacted in the Second Regular Session of the 125th Legislature is Thursday, August 30, 2012. The effective date for legislation enacted as an emergency measure may be found in the enacted law summary for that legislation.

LD 1618

An Act To Amend the Campaign Finance Laws Regarding Reporting Refunds of Campaign Expenditures

PUBLIC 522

| <u>Sponsor(s)</u> | <u>Committee Report</u> | <u>Amendments Adopted</u> |
|-------------------|-------------------------|---------------------------|
| FARNHAM | OTP-AM | S-405 |

Under current law, all Maine Clean Election Act candidates are required to deposit seed money and Maine Clean Election Act funds in a campaign account with a bank or other financial institution. The candidates are not allowed to commingle these campaign funds with any personal funds. This bill, beginning January 1, 2013, requires a candidate seeking Maine Clean Election Act funds to file with the Commission on Governmental Ethics and Election Practices a written authorization allowing the financial institution to release to the commission account statements and other financial records held by the financial institution. If a candidate does not provide the records of the campaign account within 30 days after receiving the request from the commission during an audit or an investigation of potential noncompliance by the candidate, the commission's executive director or auditor may obtain the records directly from the financial institution.

This bill also requires candidates to disclose in their campaign finance reports any refund of campaign funds received from vendors and requires Maine Clean Election Act candidates to return all refunds received after the filing of the candidate's final report to the commission within 14 days of receiving the refund.

Finally, this bill requires a vendor that is paid more than \$500 in Maine Clean Election Act funds, and that uses those funds to make purchases on behalf of the candidate relating to campaign advertising, to provide the candidate with an accounting of all purchases. The vendor is also required to keep and to provide to the candidate records of the payments made on behalf of the candidate.

Committee Amendment "A" (S-405)

This amendment changes the title of the bill and clarifies language regarding reporting refunds of campaign expenditures. The amendment also strikes the section of the bill that requires vendors who are paid using Maine Clean Election Act funds to provide the candidate with an accounting of all payments to subvendors related to campaign advertising.

Enacted Law Summary

Under current law, all Maine Clean Election Act candidates are required to deposit seed money and Maine Clean Election Act funds in a campaign account with a bank or other financial institution. The candidates are not allowed to commingle these campaign funds with any personal funds. Beginning January 1, 2013, Public Law 2011, chapter 522 requires a candidate seeking Maine Clean Election Act funds to file with the Commission on Governmental Ethics and Election Practices, a written authorization allowing the financial institution to release to the commission account statements and other financial records held by the financial institution. If a candidate does not provide the records of the campaign account within 30 days after receiving the request from the commission during an audit or an investigation of potential noncompliance by the candidate, the commissioner's executive director or auditor may obtain the records directly from the financial institution. Chapter 522 also requires candidates to disclose, in their campaign finance reports, any refund of campaign funds received from vendors and requires Maine Clean Election Act candidates to return all refunds received after the filing of the candidate's final report to the commission within 14 days of receiving the refund.