

MAINE STATE LEGISLATURE

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STATE OF MAINE
126TH LEGISLATURE
FIRST REGULAR SESSION



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

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

July 2013

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STATE OF MAINE

126TH LEGISLATURE

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LEGISLATIVE DIGEST OF BILL SUMMARIES AND ENACTED LAWS

This *Legislative Digest of Bill Summaries and Enacted Laws* contains summaries of all LDs and adopted amendments and all laws enacted or finally passed during the First Regular Session of the 126th 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.

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

The effective date for non-emergency legislation enacted in the First Regular Session of the 126th Legislature is October 9, 2013. The effective date for legislation enacted as an emergency measure may be found in the enacted law summary for that legislation.

Joint Standing Committee on Veterans and Legal Affairs

LD 1299

An Act To Amend Campaign Finance Laws

PUBLIC 334

Sponsor(s)

Committee Report

Amendments Adopted

OTP-AM

S-191

This bill amends the laws governing campaign finance and the Commission on Governmental Ethics and Election Practices by:

1. Prohibiting ballot question committees from operating in the State unless they are registered with the commission;
2. Clarifying that the commission does not have jurisdiction over financial activities to influence federal elections;
3. Permitting clerks of municipalities that are governed by state campaign finance law to refer substantial violations to the commission for enforcement;
4. Increasing the exception from \$100 to \$250 for volunteers who purchase invitations, food or beverages over the course of volunteering for a candidate;
5. Increasing the exception from \$100 to \$350 for individuals who pay for their own travel costs when volunteering for candidates;
6. Broadening the exception for news media to cover cable television systems and for news media owned by relatives of a candidate except the candidate's spouse or domestic partner;
7. Treating a limited liability company the same way as a corporation for purposes of contribution limits;
8. Requiring reporting of financial activities by a person who is considering whether to become a candidate;
9. Clarifying candidates or treasurers may keep the records of the campaign as long as the treasurer or deputy treasurer has access to the records for the purpose of filing the campaign finance report;
10. Providing that the commission may hold the candidate and treasurer jointly responsible for penalties assessed to a candidate's campaign;
11. Exempting candidates who make payments of \$1,000 or more during the last 13 days before an election from reporting those expenditures within 24 hours if they related to overhead expenses or compensation paid to an employee who has received regular payments in previous campaign finance reports;
12. Requiring party committees to file a 24-hour report of contributions of more than \$5,000 they have received within 13 days before an election;
13. Imposing limits on the amounts of money or contributions of services received by candidates in a recount of an election except that no limitation would apply to party committees or caucus campaign committees and to attorneys, consultants or firms who are donating their services without reimbursement;
14. Extending the rebuttable presumption for communications made in the last 21 days before a primary election or the last 35 days before a general election, if the communication names or depicts a clearly identified candidate;

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15. Permitting the commission to adopt procedures for electronic filing of independent expenditures;
16. Clarifying the time period for rebuttable presumption in special elections;
17. Permitting the commission to send late-filing penalty correspondence by regular mail, rather than certified mail;
18. Requiring political action committees to designate a principal officer who would be jointly responsible with the treasurer for overall compliance of the committee;
19. Requiring the treasurer, principal officer and primary decision maker of a political action committee to file a written acknowledgment stating they are jointly responsible for compliance;
20. Requiring individuals who resign as treasurer, principal officer or primary decision maker of a political action committee to submit a written statement to the commission;
21. Requiring political action committees to use a single account in a financial institution to deposit all contributions and make all expenditures;
22. Setting out the duties and liabilities of the treasurer and principal officer of a political action committee;
23. Requiring a statement of the name and address of the person who made or financed the communication on any paid communication costing more than \$500 that expressly advocates for or against a ballot question;
24. Requiring political action committees that spend more than \$25,000 to influence an election to keep account statements for 4 years;
25. Increasing potential fines for not providing a complete and accurate political action committee registration statement from \$250 to \$2,500;
26. Authorizing the commission to assess a fine of \$2,500 for failing to keep required records as long as the commission considers mitigating circumstances; and
27. Clarifying that a treasurer or deputy treasurer of a Maine Clean Election Act candidate must file the financial report for the candidate.

Committee Amendment "A" (S-191)

This amendment adds a provision to the bill to allow candidates to enter financial transactions related to required campaign finance reports in an electronic reporting system or on paper forms. It specifies that a candidate's treasurer or deputy treasurer is required to file the complete campaign finance reports. The amendment also adds provisions allowing the Commission on Governmental Ethics and Election Practices to hold the candidate and treasurer, and deputy treasurer, if applicable, responsible for penalties related to filing of campaign finance reports.

Enacted Law Summary

Public Law 2013, chapter 334 amends the laws governing campaign finance and the Commission on Governmental Ethics and Election Practices by:

1. Prohibiting ballot question committees from operating in the State unless they are registered with the commission;
2. Clarifying that the commission does not have jurisdiction over financial activities to influence federal elections;
3. Permitting clerks of municipalities that are governed by state campaign finance law to refer substantial violations

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to the commission for enforcement;

4. Increasing the exception from \$100 to \$250 for volunteers who purchase invitations, food or beverages over the course of volunteering for a candidate;
5. Increasing the exception from \$100 to \$350 for individuals who pay for their own travel costs when volunteering for candidates;
6. Broadening the exception for news media to cover cable television systems and for news media owned by relatives of a candidate except the candidate's spouse or domestic partner;
7. Treating a limited liability company the same way as a corporation for purposes of contribution limits;
8. Requiring reporting of financial activities by a person who is considering whether to become a candidate;
9. Clarifying candidates or treasurers may keep the records of the campaign as long as the treasurer or deputy treasurer has access to the records for the purpose of filing the campaign finance report;
10. Providing that the commission may hold the candidate and treasurer jointly responsible for penalties assessed to a candidate's campaign;
11. Exempting candidates who make payments of \$1,000 or more during the last 13 days before an election from reporting those expenditures within 24 hours if they related to overhead expenses or compensation paid to an employee who has received regular payments in previous campaign finance reports;
12. Requiring party committees to file a 24-hour report of contributions of more than \$5,000 they have received within 13 days before an election;
13. Imposing limits on the amounts of money or contributions of services received by candidates in a recount of an election except that no limitation would apply to party committees or caucus campaign committees and to attorneys, consultants or firms who are donating their services without reimbursement;
14. Extending the rebuttable presumption for communications made in the last 21 days before a primary election or the last 35 days before a general election, if the communication names or depicts a clearly identified candidate;
15. Permitting the commission to adopt procedures for electronic filing of independent expenditures;
16. Clarifying the time period for rebuttable presumption in special elections;
17. Permitting the commission to send late-filing penalty correspondence by regular mail, rather than certified mail;
18. Requiring political action committees to designate a principal officer who would be jointly responsible with the treasurer for overall compliance of the committee;
19. Requiring the treasurer, principal officer and primary decision maker of a political action committee to file a written acknowledgment stating they are jointly responsible for compliance;
20. Requiring individuals who resign as treasurer, principal officer or primary decision maker of a political action committee to submit a written statement to the commission;
21. Requiring political action committees to use a single account in a financial institution to deposit all contributions and make all expenditures;

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- 22. Setting out the duties and liabilities of the treasurer and principal officer of a political action committee;
- 23. Requiring a statement of the name and address of the person who made or financed the communication on any paid communication costing more than \$500 that expressly advocates for or against a ballot question;
- 24. Requiring political action committees that spend more than \$25,000 to influence an election to keep account statements for 4 years;
- 25. Increasing potential fines for not providing a complete and accurate political action committee registration statement from \$250 to \$2,500;
- 26. Authorizing the commission to assess a fine of \$2,500 for failing to keep required records as long as the commission considers mitigating circumstances;
- 27. Clarifying that a treasurer or deputy treasurer of a Maine Clean Election Act candidate must file the financial report for the candidate; and
- 28. Specifying that a candidate's treasurer or deputy treasurer is required to file the complete campaign finance reports while adding provisions allowing the Commission on Governmental Ethics and Election Practices to hold the candidate and treasurer, and deputy treasurer, if applicable, responsible for penalties related to filing of campaign finance reports.

LD 1306 An Act To Enhance Voter Registration for Persons with Disabilities

**VETO
SUSTAINED**

<u>Sponsor(s)</u>	<u>Committee Report</u>	<u>Amendments Adopted</u>
PATRICK LONGSTAFF	OTP-AM	S-182

This bill adds state agencies, including agencies that provide services to persons with disabilities, to the list of agencies where voter registration services must be made available. It specifies which services must be made available at these agencies and prohibits certain actions by persons who provide these services that would improperly influence a person's registration decisions.

Committee Amendment "A" (S-182)

This amendment clarifies references to state agencies that are required under the National Voter Registration Act to accept voter registrations and clarifies that these agencies are not limited to assisting people with disabilities.

LD 1309 An Act To Strengthen the Maine Clean Election Act and Restrict Participation to Legislative Candidates

CARRIED OVER

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

This bill makes the following changes to the Maine Clean Election Act.

- 1. It doubles the current seed money cap for participating Senate and House candidates and removes the seed money requirement for gubernatorial candidates.