

MAINE STATE LEGISLATURE

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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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STATE OF MAINE

129TH 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 129th Maine Legislature.

The *Digest* is arranged alphabetically by committee and within each committee by Legislative Document (LD) number. The committee report(s), prime sponsor and lead co-sponsor(s), if designated, are listed below each LD title. All adopted amendments are summarized and listed by paper number. A subject index is included with each committee. An appendix provides a summary of relevant session statistics.

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

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

The effective date for non-emergency legislation enacted in the First Regular Session of the 129th Legislature is Thursday, September 19, 2019. The effective date for legislation enacted as an emergency measure may be found in the enacted law summary for that legislation.

Joint Standing Committee on Veterans and Legal Affairs

**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 monthly reporting requirement.