

MAINE STATE LEGISLATURE

The following document is provided by the
LAW AND LEGISLATIVE DIGITAL LIBRARY
at the Maine State Law and Legislative Reference Library
<http://legislature.maine.gov/lawlib>



Reproduced from electronic originals
(may include minor formatting differences from printed original)

STATE OF MAINE
129TH LEGISLATURE
FIRST SPECIAL AND SECOND REGULAR SESSIONS



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

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

November 2020

STAFF:

JANET STOCCO, LEGISLATIVE ANALYST
DANIEL TARTAKOFF, LEGISLATIVE ANALYST
OFFICE OF POLICY AND LEGAL ANALYSIS
13 STATE HOUSE STATION
AUGUSTA, ME 04333
(207) 287-1670
<http://legislature.maine.gov/legis/opla/>

MEMBERS:

SEN. LOUIS J. LUCHINI, CHAIR
SEN. ERIN D. HERBIG
SEN. SCOTT W. CYRWAY

REP. JOHN C. SCHNECK, CHAIR
REP. JANICE E. COOPER
REP. CRAIG V. HICKMAN
REP. BRIAN L. HUBBELL*
REP. JOYCE "JAY" MCCREIGHT
REP. KEVIN O'CONNELL*
REP. SCOTT WALTER STROM
REP. SHELDON MARK HANINGTON
REP. JOHN ANDREWS
REP. JOSANNE C. DOLLOFF
REP. KENT ACKLEY

*Committee member for a portion of the session

STATE OF MAINE

129TH LEGISLATURE
FIRST REGULAR SESSION



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.

LD 54

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

PUBLIC 534

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

This bill was passed to be enacted by the Legislature and then held by the Governor at the end of the First Regular Session. The bill became law without signature at the beginning of the Second Regular Session.

Current law prohibits 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 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 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.

Joint Standing Committee on Veterans and Legal Affairs

In the First Regular Session, this amendment was adopted in the Senate but later removed from the bill after the amendment failed adoption in the House.

Enacted Law Summary

Public Law 2019, chapter 534 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 in session and 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.

Public Law 2019, chapter 534 also newly prohibits the Governor, a member of the Legislature or the staff or agent of these 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.

Public Law 2019, chapter 534 similarly 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.

Public Law 2019, chapter 534 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 law must be returned to the contributor and a person who violates the law is subject to a civil penalty of up to \$1,000.

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

CARRIED OVER

Sponsor(s)
SHEATS B
CARSON B

Committee Report
OTP-AM

Amendments Adopted
H-116

This resolve was carried over from the First Regular Session of the 129th Legislature on the Special Appropriations Table by joint order, H.P. 1322.

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 again carried over, still on the Special Appropriations Table, to any special session of the 129th Legislature by joint order, S.P. 788.