

# MAINE STATE LEGISLATURE

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STATE OF MAINE  
129<sup>TH</sup> LEGISLATURE  
FIRST REGULAR SESSION



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

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

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# STATE OF MAINE

129<sup>TH</sup> 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 129<sup>th</sup> 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 129<sup>th</sup> 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*

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.

This amendment was originally adopted in the Senate but ultimately removed from the bill after the amendment failed adoption in the House.

### **LD 76 An Act To Strengthen the Integrity of the Legislature**

**PUBLIC 57**

<u>Sponsor(s)</u>	<u>Committee Report</u>	<u>Amendments Adopted</u>
CHENETTE J MCCREIGHT J	OTP-AM	S-43

This bill prohibits a former Legislator from engaging in any compensated lobbying activities for four years after that person's term as a Legislator ends rather than for one year as in current law. This extended prohibition begins with the convening of the 130th Legislature. The bill also removes the safe harbor in current law that allows a former Legislator to engage in up to eight hours of compensated lobbying per calendar month without violating the prohibition.

### **Committee Amendment "A" (S-43)**

Like the bill, this amendment removes the safe harbor in current law that allows a former Legislator to engage in up to eight hours of lobbying per calendar month without violating the prohibition against a former Legislator engaging in compensated lobbying. Unlike the bill, which prohibits a former Legislator from engaging in compensated lobbying activities for four years after that Legislator's term ends, the amendment prohibits a former Legislator from engaging in compensated lobbying activities for one year after that Legislator's term ends.

The amendment also makes a technical change to the bill to ensure that the prohibition against a former Legislator engaging in compensated lobbying does not prohibit the former Legislator from engaging in lobbying as an employee of the State or of an agency of the State.

*Joint Standing Committee on Veterans and Legal Affairs*

**Enacted Law Summary**

Public Law 2019, chapter 57 removes the safe harbor in current law that allows a former Legislator to engage in up to eight hours of lobbying per calendar month without violating the prohibition against a former Legislator engaging in compensated lobbying.

**LD 95      An Act To Clarify Residency Requirements for Legislative Candidates**

**Accepted Majority  
(ONTP) Report**

<u>Sponsor(s)</u>	<u>Committee Report</u>	<u>Amendments Adopted</u>
HIGGINS N DAVIS P	ONTP OTP-AM	

This bill clarifies that the primary residence of a candidate for election as a State Senator or State Representative must be located in the district the candidate seeks to represent on the date of the candidate's nomination for placement on a primary, general or special election ballot. The bill also clarifies that the primary residence of a candidate for election as a State Senator or State Representative must be located in the district the candidate seeks to represent for the three months immediately preceding the general election and, if the candidate is elected, throughout the candidate's term of office.

**Committee Amendment "A" (H-40)**

This amendment, which is the minority report of the committee, adds a definition of "primary residence" to the bill and specifies that, when a person who is a State Senator or State Representative, or a candidate for those offices, claims a homestead exemption under the Maine Revised Statutes, Title 36, chapter 105, subchapter 4-B, that property is presumed to be the person's primary residence until the person claims a homestead exemption on another property or until the person no longer claims a homestead exemption on any property. A person who files a primary petition or a nomination petition for these offices or who seeks to be declared a write-in candidate for these offices must declare, under oath, that the person's primary residence is in the district the person seeks to represent.

The amendment also clarifies that a vacancy occurs in the office of State Senator or State Representative when the incumbent no longer maintains a primary residence in the district the person represents.

This amendment was not adopted.

**LD 114      An Act To Establish Open Primaries for Certain Federal and State Offices**

**Accepted Majority  
(ONTP) Report**

<u>Sponsor(s)</u>	<u>Committee Report</u>	<u>Amendments Adopted</u>
RYKERSON D GRATWICK G	ONTP OTP-AM	

This bill provides for open primary elections for the elections for United States Senator, United States Representative to Congress, Governor, State Senator and State Representative. All of the candidates for those offices, including candidates enrolled in a party and unenrolled candidates, must appear on the same open primary ballot. All qualified voters, regardless of enrollment status, are eligible to vote in open primary elections.

Under the bill, the votes in an open primary election must be tabulated using ranked-choice voting, except that the