

MAINE STATE LEGISLATURE

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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

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*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.

Joint Standing Committee on Veterans and Legal Affairs

on the registration form that they have not yet exceeded the eight-hour-per-calendar-month threshold for registration.

3. It requires lobbyist associates to take the same annual harassment training required of lobbyists and further permits lobbyists and lobbyist associates to request on the annual registration form an extension to complete or an exemption from completing this required training under the limited circumstances authorized under existing law.
4. It makes several changes to the requirement that a lobbyist file monthly reports with the Commission on Governmental Ethics and Election Practices during the legislative session, including by eliminating the requirement that reports be made under oath; requiring the lobbyist to report not only compensation actually received by the lobbyist but also the compensation received by lobbyist associates and the compensation these individuals expect to receive for lobbying during the month; requiring the lobbyist to report lobbying expenditures for which the lobbyist expects to be reimbursed by an employer that were made or incurred not only by the lobbyist but also by lobbyist associates; and expanding the requirement that a lobbyist identify each legislative action for which the lobbyist was or expects to be compensated during the month to include the activities of lobbyist associates.
5. It newly requires that a lobbyist submit a separate report if the lobbyist and the lobbyist's associates or lobbying firm expend more than \$300 in a month directly to or on behalf of covered officials or the immediate family of covered officials and the expenditures were not made on behalf of or expected to be reimbursed by a lobbyist employer.
6. It expands the requirement that a lobbyist file a report with the commission when the Legislature is not in session during any month in which the lobbyist or lobbyist associates are engaged in lobbying to include months in which the lobbyist, lobbyist associates or the lobbyist's employer is engaged in indirect lobbying or the employer makes expenditures directly to or on behalf of covered officials or their immediate family members.

Public Law 2019, chapter 587 also amends the definition of "legislative designee," the term used to describe an employee of a state department or agency who must register with the commission, to include both an individual designated as the primary employee to lobby for the department or agency and an individual expected to lobby on behalf of the department or agency for more than 10 hours in a legislative session but to exclude an individual whose only lobbying-related duty is monitoring legislation. The bill also streamlines the process for registration of legislative designees by authorizing each department or agency to submit a single list to the commission rather than separate forms signed by each legislative designee.

Public Law 2019, chapter 587 has an effective date of December 1, 2020.

LD 1868 An Act To Improve the Reporting of Grassroots Lobbying

PUBLIC 599

<u>Sponsor(s)</u>	<u>Committee Report</u>	<u>Amendments Adopted</u>
LUCHINIL	OTP-AM ONTP	S-397

The bill, submitted by the Commission on Governmental Ethics and Election Practices, changes from "indirect lobbying" to "grassroots lobbying" the term used to describe communicating with members of the public and soliciting them to contact public officials for purposes of influencing legislative action. It also changes the types of communications with the public that qualify as grassroots lobbying to newly include communications made via telephone, over email, through a website, or through another digital format but to exclude a corporation's or organization's communications with its stockholders, employees, board members, officers and dues-paying members.

Joint Standing Committee on Veterans and Legal Affairs

Under current law, a lobbyist must disclose in monthly reports filed with the Commission on Governmental Ethics and Election Practices expenditures by the lobbyist or the lobbyist's client made for grassroots lobbying that exceed \$15,000 in the relevant month and the legislation sought to be influenced through those expenditures. The bill lowers the monthly grassroots lobbying reporting threshold to \$2,000 and excludes from this calculation salaries paid by the lobbyist's client to its employees.

The bill also newly requires non-lobbyists who make or incur more than \$2,000 in grassroots lobbying expenditures in a calendar month to report those expenditures to the commission and to identify the legislation sought to be influenced through those expenditures. In calculating whether a non-lobbyist has reached the \$2,000-per-month expenditure threshold, only payments of money made to independent contractors and other vendors to purchase goods and services, such as advertising, graphic or website design, video or audio production services, telecommunications services, printing and postage, are included.

The bill has an effective date of December 1, 2020.

Committee Amendment "A" (S-397)

The bill requires a lobbyist to report expenditures by a client for grassroots lobbying if those expenditures exceed \$2,000 in a month. This amendment, which is the majority report of the committee, clarifies that a lobbyist must file a report with the Commission on Governmental Ethics and Election Practices on grassroots lobbying if the lobbyist's client either made or incurred expenditures in excess of \$2,000 during a month for the purposes of grassroots lobbying. As amended, the grassroots lobbying reporting threshold for lobbyists will match the grassroots lobbying reporting threshold established in the bill for persons who have not engaged a lobbyist. The amendment also clarifies that the \$2,000 threshold does not include payments made by the lobbyist's client to the client's regular employees.

Enacted Law Summary

Public Law 2019, chapter 599 changes from "indirect lobbying" to "grassroots lobbying" the term used to describe communicating with members of the public and soliciting them to contact public officials for purposes of influencing legislative action. It also changes the types of communications with the public that qualify as grassroots lobbying to newly include communications made via telephone, over email, through a website, or through another digital format but to exclude a corporation's or organization's communications with its stockholders, employees, board members, officers and dues-paying members.

Under current law, a lobbyist must disclose in monthly reports filed with the Commission on Governmental Ethics and Election Practices expenditures by the lobbyist or the lobbyist's client made for grassroots lobbying that exceed \$15,000 in the relevant month and the legislation sought to be influenced through those expenditures. Public Law 2019, chapter 599 lowers the reporting threshold to \$2,000 in grassroots lobbying expenditures made or incurred in a calendar month and excludes from this calculation salaries paid by the lobbyist's client to its regular employees.

Public Law 2019, chapter 599 also newly requires non-lobbyists who make or incur more than \$2,000 in grassroots lobbying expenditures in a month to report those expenditures to the commission and to identify the legislation sought to be influenced through those expenditures. In calculating whether a non-lobbyist has reached the \$2,000-per-month expenditure threshold, only payments of money made to independent contractors and other vendors to purchase goods and services, such as advertising, graphic or website design, video or audio production services, telecommunications services, printing and postage, are included.

Public Law 2019, chapter 599 has an effective date of December 1, 2020.