

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**

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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

LD 1869 An Act To Clarify the Financial Reporting Responsibilities of Political Action Committees and Ballot Question Committees

PUBLIC 563

<u>Sponsor(s)</u>	<u>Committee Report</u>	<u>Amendments Adopted</u>
LUCHINIL	OTP-AM ONTP	S-377

This bill, submitted by the Commission on Governmental Ethics and Election Practices, clarifies which statutes contained in the Maine Revised Statutes, Title 21-A, chapter 13, subchapter 4 relate to both political action committees and ballot question committees and which relate only to political action committees.

Committee Amendment "A" (S-377)

This amendment, which is the majority report of the committee, clarifies that the terms "ballot question committee" and "political action committee," as those terms are used throughout the Maine Revised Statutes, Title 21-A, mean a person required to register as a ballot question committee or as a political action committee, respectively, in chapter 13, subchapter 4 of that Title.

The amendment also adds cross-references to the penalty provisions of chapter 13, subchapter 4 to clarify that, as stated in the bill, those penalties apply to political action committees or ballot question committees that are required to register and to file campaign finance reports with a municipal clerk and that violate the campaign finance laws. Finally, the amendment makes technical changes to the law governing the content of political action committees' campaign finance reports to clarify that the law does not apply to ballot question committees.

Enacted Law Summary

Public Law 2019, chapter 563 clarifies which statutes contained in the Maine Revised Statutes, Title 21-A, chapter 13, subchapter 4 relate to both political action committees and ballot question committees and which relate only to political action committees. It also clarifies that the terms "ballot question committee" and "political action committee," as those terms are used throughout the Maine Revised Statutes, Title 21-A, mean a person required to register as a ballot question committee or as a political action committee, respectively, under chapter 13, subchapter 4.

LD 1871 An Act To Modify the Financial Disclosure Requirements for a Governor-elect

PUBLIC 564

<u>Sponsor(s)</u>	<u>Committee Report</u>	<u>Amendments Adopted</u>
LUCHINIL	OTP-AM ONTP	S-376

This bill, submitted by the Commission on Governmental Ethics and Election Practices, makes the following changes to the law that regulates the financial activities of a committee established to finance a Governor-elect's transition to office and inauguration.

1. It repeals the provision of law prohibiting the treasurer of the transition committee from having also served as the treasurer of any candidate committee or political action committee in the same election cycle.
2. It extends the deadline for transition committees to accept donations from January 31st to March 31st of the year following the gubernatorial election and authorizes the commission to extend the deadline further if the committee requests additional time to fundraise to pay a debt or loan related to the transition to office or inauguration.

Joint Standing Committee on Veterans and Legal Affairs

3. It changes the deadline for the transition committee's first financial disclosure statement from January 1st to January 2nd of the year following the gubernatorial election and replaces the requirement that the final financial disclosure statement be filed on February 15th with a requirement that a statement be filed on February 15th and bimonthly thereafter until all surplus funds have been disposed. It also requires the treasurer to keep detailed accounts of the transition committee's contributions and expenditures for one year following the filing of the final disclosure statement.
4. It requires the transition committee to disclose in each financial disclosure statement any debt or loan that remains unpaid at the end of the time period for the statement and to disclose any debt or loan that was forgiven by the creditor or lender as a donation.
5. It requires the transition committee either to spend all donations received by the committee on expenses related to the transition or inauguration or to dispose of surplus funds by returning those funds to donors, donating them to a charitable organization or remitting them to the State Treasurer. It also eliminates the requirement that all funds be expended or disposed of by February 15th and allows disposal of funds to continue after that date.
6. It directs the commission to consider, in assessing a civil penalty for violation of this law, whether the transition committee made a bona fide effort to follow the law, the violation was caused by the error of a person outside of the transition committee's control or the transition committee attempted to conceal or misrepresent its financial activities.

Committee Amendment "A" (S-376)

This amendment, which is the majority report of the committee, clarifies that a committee established to finance a Governor-elect's transition to office and inauguration must file financial disclosure statements with the Commission on Governmental Ethics and Election Practices until it not only disposes of all surplus funds but also satisfies all outstanding debts and loans.

The amendment also clarifies that, when the Commission on Governmental Ethics and Election Practices decides whether to assess a penalty for violations of the law governing transition committees, it must consider the factors established in the bill both when the violation was committed by the transition committee and the penalty will be assessed against the committee and when the violation was committed by another person and the penalty will be assessed against that person.

Enacted Law Summary

Public Law 2019, chapter 564 makes the following changes to the law that regulates the financial activities of a committee established to finance a Governor-elect's transition to office and inauguration.

1. It repeals the provision of law prohibiting the treasurer of the transition committee from having also served as the treasurer of any candidate committee or political action committee in the same election cycle.
2. It extends the deadline for transition committees to accept donations from January 31st to March 31st of the year following the gubernatorial election and authorizes the commission to extend the deadline further if the committee requests additional time to fundraise to pay a debt or loan related to the transition to office or inauguration.
3. It changes the deadline for the transition committee's first financial disclosure statement from January 1st to January 2nd of the year following the gubernatorial election and replaces the requirement that the final financial disclosure statement be filed on February 15th with a requirement that a statement be filed on February 15th and bimonthly thereafter until all surplus funds have been disposed and all outstanding debts or loans have been satisfied. It also requires the treasurer to keep detailed accounts of the transition committee's contributions and expenditures for one year following the filing of the final disclosure statement.

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4. It requires the transition committee to disclose in each financial disclosure statement any debt or loan that remains unpaid at the end of the time period for the statement and to disclose any debt or loan that was forgiven by the creditor or lender as a donation.

5. It requires the transition committee either to spend all donations received by the committee on expenses related to the transition or inauguration or to dispose of surplus funds by returning those funds to donors, donating them to a charitable organization or remitting them to the State Treasurer. It also eliminates the requirement that all funds be expended or disposed of by February 15th and allows disposal of funds to continue after that date.

6. It directs the commission to consider, in assessing a civil penalty for violation of this law by any person, whether the person made a bona fide effort to follow the law, the violation was caused by the error of another person outside of the person’s control or the person attempted to conceal or misrepresent its financial activities.

LD 1884 An Act To Amend the Laws Governing Dual Liquor Licenses

**PUBLIC 559
EMERGENCY**

<u>Sponsor(s)</u>	<u>Committee Report</u>	<u>Amendments Adopted</u>
CROCKETTE SANBORNH	OTP-AM	H-664

This bill amends the laws governing dual liquor licenses, which authorize licensees to sell wine for both on-premises and off-premises consumption. It allows a licensee to serve wine for on-premises consumption until 10:00 p.m., rather than until 8:00 p.m. It also relaxes the restriction that wine may be served for on-premises consumption only when accompanied by a full meal and instead requires only that a full meal be available for purchase and consumption at the time of service. It removes the requirement that a licensee have two employees at least 21 years of age present at all times when wine is being consumed on the premises.

Committee Amendment "A" (H-664)

This amendment, which is the unanimous report of the committee, removes the restrictions specific to dual liquor licensees regarding the times of day when wine may be sold for on-premises consumption. As a result, these licensees will be subject to the general law that authorizes the sale of all types of liquor, including wine, from 5:00 a.m. on one day until 1:00 a.m. the following day. The amendment requires a licensee to have at least one employee who is at least 21 years of age present at all times when wine is being consumed on the premises. The amendment also adds an emergency preamble and emergency clause to the bill.

Enacted Law Summary

Public Law 2019, chapter 559 amends the laws governing dual liquor licenses, which authorize licensees to sell wine for both on-premises and off-premises consumption. It removes the restrictions specific to dual liquor licensees regarding the times of day when wine may be sold for on-premises consumption. As a result, these licensees will be subject to the general law that authorizes the sale of all types of liquor, including wine, from 5:00 a.m. on one day until 1:00 a.m. the following day. It also relaxes the restriction that wine may be served for on-premises consumption only when accompanied by a full meal and instead requires only that a full meal be available for purchase and consumption at the time of service. Finally, it removes the requirement that a licensee have two employees at least 21 years of age present at all times when wine is being consumed on the premises and instead requires only that one employee who is at least 21 years of age be present in those circumstances.

Public Law 2019, chapter 559 was enacted as an emergency measure effective February 18, 2020.