

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

LD 1902 An Act To Define the Term "Caucus Political Action Committee"

PUBLIC 635

<u>Sponsor(s)</u>	<u>Committee Report</u>	<u>Amendments Adopted</u>
CHENETTE J	OTP-AM ONTP OTP-AM	S-391

This bill amends the laws governing the financing of political campaigns and the Commission on Governmental Ethics and Election Practices by defining "caucus political action committee" to mean a political action committee designated by a party leader in the Legislature to promote the election of the nominees of the party leader's political party to the Senate or the House of Representatives. It allows each appointed leader of a political party in the Senate or House of Representatives to designate one caucus political action committee to promote the election of nominees of that appointed leader's political party to the body of the Legislature of which that appointed leader is a member.

The bill also ensures consistent use of the term "caucus political action committee" in the campaign finance laws. Under those laws, a caucus political action committee may make unlimited donations to a candidate to fund a recount and, although Maine Clean Election Act candidates are generally prohibited from serving as the treasurer, principal officer, primary fund-raiser or primary decision maker for a political action committee, these candidates may engage in fund-raising or decision making for a caucus political action committee.

Committee Amendment "A" (S-391)

This amendment, which is the majority report of the committee, clarifies the process for the designation of caucus political action committees by specifying that each Senate caucus leader and each House caucus leader may designate one caucus political action committee to promote the election of nominees of the caucus leader's political party to the body of the Legislature of which that caucus leader is a member. Under the amendment, a caucus leader is a member of a political party in a body of the Legislature who has been elected the leader of that political party in that body of the Legislature. If the President of the Senate or the Speaker of the House is a member of a political party, the President of the Senate or Speaker of the House is the caucus leader of that political party in the respective body of the Legislature.

The amendment also makes technical changes to the law governing the appointment of members of the Commission on Governmental Ethics and Election Practices. Specifically, in the provisions outlining who has the authority to propose individuals for appointment to the commission, the phrases "appointed leader from each political party in the Senate" and "appointed leader from each political party in the House of Representatives" are replaced with the newly defined terms "Senate caucus leader" and "House caucus leader."

Committee Amendment "B" (S-392)

This amendment, which is one of two minority reports of the committee, is identical to the majority report except that it also allows both the unenrolled members of the Senate and the unenrolled members of the House of Representatives to elect a leader who may designate an unenrolled political action committee to promote the election of unenrolled candidates to that body of the Legislature. Like a caucus political action committee, an unenrolled political action committee may make unlimited donations to a candidate to fund a recount. In addition, although Maine Clean Election Act candidates are generally prohibited from serving as the treasurer, principal officer, primary fund-raiser or primary decision maker for a political action committee, the amendment authorizes Maine Clean Election Act candidates to engage in fund-raising or decision making for an unenrolled political action committee to the same extent that Maine Clean Election Act candidates may engage in such activities for a caucus political action committee.

Joint Standing Committee on Veterans and Legal Affairs

This amendment was not adopted.

Enacted Law Summary

Public Law 2019, chapter 635 amends the laws governing the financing of political campaigns by defining "caucus political action committee" to mean a political action committee designated by a Senate caucus leader or House caucus leader to promote the election of the nominees of the caucus leader's political party to the caucus leader's respective body of the Legislature. A caucus leader is a member of a political party in a body of the Legislature who has been elected the leader of that political party in that body of the Legislature. If the President of the Senate or the Speaker of the House is a member of a political party, the President of the Senate or Speaker of the House is the caucus leader of that political party in the respective body of the Legislature.

Public Law 2019, chapter 635 also ensures consistent use of the term "caucus political action committee" in the campaign finance laws. Under those laws, a caucus political action committee may make unlimited donations to a candidate to fund a recount and, although Maine Clean Election Act candidates are generally prohibited from serving as the treasurer, principal officer, primary fund-raiser or primary decision maker for a political action committee that influences candidate elections, these candidates may engage in fund-raising or decision making for a caucus political action committee.

Public Law 2019, chapter 635 also makes technical changes to the law governing the appointment of members of the Commission on Governmental Ethics and Election Practices. Specifically, in the provisions outlining who has the authority to propose individuals for appointment to the commission, the phrases "appointed leader from each political party in the Senate" and "appointed leader from each political party in the House of Representatives" are replaced with the newly defined terms "Senate caucus leader" and "House caucus leader."

LD 1903 An Act To Amend the Laws Governing Activities at or near the Polls on CARRIED OVER
Election Day

<u>Sponsor(s)</u>	<u>Committee Report</u>	<u>Amendments Adopted</u>
CHIPMAN B MCCREIGHT J	OTP-AM OTP-AM	

This bill, submitted by the Secretary of State, repeals current statutory provisions governing the activities at polling places on election day and enacts the following new provisions in theirplace.

1. It establishes a six-foot-wide access corridor from the entrance of the polling place to the guardrail enclosure where voting takes place that must be kept open at all times for the passage of voters and for no other activity.
2. It establishes the space within the polling place and within a 150-foot radius of the polling place, not including any easement over private property, as a campaign-free zone. Within this zone, certain electioneering activities are prohibited, including: attempting to influence another person's decision on a candidate or question on the ballot that year; distributing advertising or campaign materials; soliciting or accepting contributions for a candidate or question that will be on the ballot that year; collecting signatures on candidate nominating petitions; and the wearing of clothing or accessories expressly advocating the election or defeat of any candidate or question on the ballot that day. Other activities are expressly permitted within the campaign-free zone, including: advertising material on a vehicle transporting voters to or from the voting place; exit polling conducted after voters finish voting; the greeting of voters by a candidate or candidate's single representative outside of the access corridor; and the wearing by a voter who is that the polls to vote of clothing or accessories that displays the name of a candidate or a campaign message, as long as the statement does not constitute express advocacy.
3. It authorizes the election warden to assign space within the campaign-free zone for activities related to the