

MAINE STATE LEGISLATURE

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STATE OF MAINE
HOUSE OF REPRESENTATIVES
108TH LEGISLATURE
FIRST REGULAR SESSION

COMMITTEE AMENDMENT "A" to H.P. 1451, L.D. 1736, Bill, "AN ACT Relating to Charitable Solicitations."

Amend the bill in section 1 in that part designated "§5003." in subsection 4 by striking out all of paragraph B and inserting in its place the following:

'B. Money or property received from any governmental authority.'

Further amend the bill in section 1 in that part designated "§5003." by striking out all of subsections 10 and 11 and inserting in their places the following:

'10. Professional solicitor. "Professional solicitor" means any person who for a financial or other consideration engages, employs, directs or contracts with any other person to solicit contributions or directs agents, servants or employees specially employed by or for a charitable organization for the purpose of soliciting contributions.

11. Solicit and solicitation. "Solicit and solicitation" means any oral or written request, however communicated directly or indirectly, for any contribution. "Solicitation" as defined herein shall be deemed to have taken place when the request is

made, whether or not the person making the solicitation receives any contribution in response.'

Further amend the bill in section 1 in that part designated §5004. in subsection 1 by striking out the last/^{underlined}blocked paragraph before subsection 2 and inserting in its place the following:

'A parent organization may file a consolidated registration statement for its affiliates, chapters and branches in this State and shall pay a single fee for such a consolidated registration statement.'

Further amend the bill in section 1 in that part designated §5004. in subsection 3 in paragraph M in the last line by striking out the underlined word "and"

Further amend the bill in section 1 in that part designated §5004. in subsection 3 in paragraph N by striking out the underlined punctuation "." and inserting in its place the underlined punctuation and word '; and'

Further amend the bill in section 1 in that part designated §5004. in subsection 3 by inserting at the end the following:

'O. The estimated percentage of each dollar contribution which will be expended in Maine.'

Further amend the bill in section 1 in that part designated §5006. in subsection 1 in paragraph A in the first line (same in L.D.) by striking out the underlined word "only" and inserting in its place the underlined word 'primarily'

Further amend the bill in section 1 in that part designated "§5006." in subsection 1 in paragraph B by striking out all of underlined the last/sentence and inserting in its place the following:

'The term "membership" shall include all those attending and contributing at a bona fide church function, but shall not include those persons who are granted a membership upon making a contribution as a result of solicitation;'

Further amend the bill in section 1 in that part designated "§5008." in the first line by inserting after the underlined word "counsels" the underlined punctuation and words ', professional solicitors'

Further amend the bill in section 1 in that part designated "§5008." in subsection 1 in the 2nd line/by inserting before the underlined words "or a" the underlined punctuation and words ', professional solicitor'
(1st in L.D.)

Further amend the bill in section 1 in that part designated "§5008." in subsection 2 in the first line (same in L.D.) by inserting after the underlined words "fund-raising counsel" the underlined punctuation and words ', professional solicitor'

Further amend the bill in section 1 in that part designated "§5008." in subsection 2 in the last line (5th line in L.D.) by inserting after the underlined words "fund-raising counsel" the underlined punctuation and words ', professional solicitor'

Further amend the bill in section 1 in that part designated "§5010." in the first paragraph in the 8th line (6th line in L.D.) by striking out the underlined word "department" and inserting in its place the underlined words 'Secretary of State'

Statement of Fact

This amendment deletes the exclusion for moneys appropriated or grants received from government sources. This amendment shortens but makes more comprehensive the definition of solicitation and solicit. It deletes the requirement that each branch or affiliate file a separate statement. The parent organization will include them in its statement. The new paragraph O requires that the organization show what percentage of the money received will remain in or return to Maine to be expended in State. This amendment excepts from filing organizations which solicit primarily rather than only in Maine. This expands the number of organizations excepted. This amendment also clarifies the definition of professional solicitor and makes this change consistent throughout the bill.

Reported by the Committee on Business Legislation.

Reproduced and distributed under the direction of the Clerk of the House.
6/17/77

(Filing No. H-690)