

MAINE STATE LEGISLATURE

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LAWS
OF THE
STATE OF MAINE

AS PASSED BY THE

ONE HUNDRED AND TWENTY-SECOND LEGISLATURE

SECOND SPECIAL SESSION
July 29, 2005

SECOND REGULAR SESSION
January 4, 2006 to May 24, 2006

THE GENERAL EFFECTIVE DATE FOR
SECOND SPECIAL SESSION
NON-EMERGENCY LAWS IS
OCTOBER 28, 2005

THE GENERAL EFFECTIVE DATE FOR
SECOND REGULAR SESSION
NON-EMERGENCY LAWS IS
AUGUST 23, 2006

PUBLISHED BY THE REVISOR OF STATUTES
IN ACCORDANCE WITH MAINE REVISED STATUTES ANNOTATED,
TITLE 3, SECTION 163-A, SUBSECTION 4.

Penmor Lithographers
Lewiston, Maine
2006

A political action committee that is registered with the commission or that accepts contributions or incurs obligations in an aggregate amount in excess of \$50 on any one or more campaigns for the office of Governor, for state or county office or for the support or defeat of a referendum or initiated petition shall file a report on its activities in that campaign with the commission on forms as prescribed by the commission. A political action committee organized in this State required under this section to file a report shall file the report for each filing period under section 1059. A political action committee organized outside this State shall file with the Commission on Governmental Ethics and Election Practices of this State a copy of the report that the political action committee is required to file in the state in which the political action committee is organized. The political action committee shall file the copy only if it has expended funds or received contributions or made expenditures in this State. The copy of the report must be filed in accordance with the schedule of filing in the state where it is organized. If contributions or expenditures are made relating to a municipal office or referendum, the report must be filed with the clerk in the subject municipality. ~~Any person or organization organized to oppose a question to be voted on by the electorate at referendum shall report, within 10 days following the drafting of the question by the Secretary of State and prior to the distribution of any petitions for voter signatures pursuant to chapter 11, to the commission as required in this section and sections 1059 and 1060.~~

Sec. 8. 21-A MRSA §1060, sub-§4, as amended by PL 2005, c. 301, §27, is further amended to read:

4. Itemized expenditures. An itemization of each expenditure made to support or oppose any candidate, campaign, political committee, political action committee, political party, referendum or initiated petition, including the date, payee and purpose of the expenditure and the address of the payee. If expenditures were made to a person described in section 1012, subsection 3, paragraph A, subparagraph (4), the report must contain the name of the person; the amount spent by that person on behalf of the candidate, campaign, political committee, political action committee, political party, referendum or initiated petition, including, but not limited to, expenditures made during the signature gathering phase; the reason for the expenditure; and the date of the expenditure. The commission may specify the categories of expenditures that are to be reported to enable the commission to closely monitor the activities of political action committees;

Sec. 9. Secretary of State to report on information provided to voters regarding statewide referendum questions on ballot. By September 1, 2006, the Secretary of State using

existing budgeted resources shall issue a report to the Joint Standing Committee on Legal and Veterans Affairs that examines voter awareness in other states that mail voter information pamphlets on statewide referendum questions directly to voters. The report must include suggestions for improving the way information is provided to voters regarding statewide referendum questions in this State.

Sec. 10. Commission on Governmental Ethics and Election Practices to report regarding campaign finance reports for direct initiative campaigns and public access to those reports. By September 1, 2006, the Commission on Governmental Ethics and Election Practices shall issue a report to the Joint Standing Committee on Legal and Veterans Affairs regarding campaign finance reports for direct initiative campaigns. The report must include the commission's examination of the feasibility of requiring political action committees to identify the direct initiative campaigns that the political action committees are receiving or expending money in support of or opposition to, whether voter information pamphlets or posters published by the State and publications by political action committees in support of or opposition to ballot measures should be required to include information indicating where campaign finance reports about the measure may be obtained, reducing the spending threshold that triggers reporting as a political action committee and, in the months prior to an election, increasing the frequency of reports by political action committees that have raised or spent in excess of \$40,000 on a ballot measure.

Sec. 11. Secretary of State and Commission on Governmental Ethics and Election Practices to work collaboratively on providing information about direct initiatives. By September 1, 2006, the Secretary of State and the Commission on Governmental Ethics and Election Practices shall jointly develop a plan to provide information on their respective public accessible websites directing the public to information currently published and available about direct initiative petitions and campaign finance reports filed relative to those direct initiative petitions and submit that plan to the Joint Standing Committee on Legal and Veterans Affairs.

See title page for effective date.

CHAPTER 576

S.P. 786 - L.D. 2042

**An Act To Amend the Harness
Racing Laws Regarding
Distributions from the Fund to
Supplement Harness Racing Purses**

Emergency preamble. Whereas, acts of the Legislature do not become effective until 90 days after adjournment unless enacted as emergencies; and

Whereas, an inequity exists with regard to the timing of disbursements of funds to supplement harness racing purses; and

Whereas, the inequity will have a negative impact on harness racing purses provided at certain agricultural fairs in the 2006 racing season; and

Whereas, in the judgment of the Legislature, these facts create an emergency within the meaning of the Constitution of Maine and require the following legislation as immediately necessary for the preservation of the public peace, health and safety; now, therefore,

Be it enacted by the People of the State of Maine as follows:

Sec. 1. 8 MRSA §298, sub-§2, as enacted by PL 2003, c. 687, Pt. A, §3 and affected by Pt. B, §11, is repealed and the following enacted in its place:

2. Distribution. On April 30th, July 30th, October 30th and January 30th of each year, all amounts credited to the fund established by this section as of the last day of the preceding month and not distributed before that day must be distributed to each commercial track, as defined in section 275-A, subsection 1, to each agricultural fair licensee that conducts live racing on fair dates assigned by the commissioner pursuant to Title 7, section 65 and to each agricultural fair licensee that conducts an extended meet as long as that licensee conducted an extended meet in 2005, with each commercial track and each agricultural fair licensee receiving an amount of money determined by multiplying the amount of money available for distribution times a fraction, the numerator of which is the total number of live race dashes assigned to the commercial track or agricultural fair licensee for the year and the denominator of which is the total number of race dashes assigned to all commercial tracks and agricultural fair licensees for the year. The payment in January must be adjusted so that for the prior year each commercial track or agricultural fair licensee entitled to a distribution receives that portion of the total money distributed for the full year from the fund established by this section that is determined by multiplying the total amount of money by a fraction, the numerator of which is the number of live race dashes conducted by the commercial track or agricultural fair licensee during the calendar year that qualify for a distribution and the denominator of which is the total number of race dashes conducted during that calendar year that qualify for a distribution. For purposes of this subsection, a race dash qualifies for distribution if the dash was conducted by a commer-

cial track or by an agricultural fair licensee on dates assigned under Title 7, section 65 or during an extended meet. The number of dashes held at an extended meet that qualify for distribution may not exceed the number of dashes conducted by the licensee during an extended meet in 2005. The funds distributed pursuant to this subsection must be used to supplement harness racing purses.

Emergency clause. In view of the emergency cited in the preamble, this Act takes effect when approved.

Effective April 12, 2006.

CHAPTER 577

H.P. 1027 - L.D. 1464

An Act To Amend the Laws Relating to Motorized Scooters, Motor-driven Cycles and Mopeds

Emergency preamble. Whereas, acts of the Legislature do not become effective until 90 days after adjournment unless enacted as emergencies; and

Whereas, there has been a drastic increase in the number of motorized cycles and off-road vehicles; and

Whereas, the law regarding these motorized cycles and off-road vehicles is not clear; and

Whereas, in the judgment of the Legislature, these facts create an emergency within the meaning of the Constitution of Maine and require the following legislation as immediately necessary for the preservation of the public peace, health and safety; now, therefore,

Be it enacted by the People of the State of Maine as follows:

Sec. 1. 29-A MRSA §101, sub-§36, as amended by PL 2001, c. 687, §4, is repealed and the following enacted in its place:

36. Moped. "Moped" means a motorized device designed to travel with only 2 or 3 10-inch or larger diameter wheels in contact with the ground and that:

A. May have fully operative pedals for propulsion by human power;

B. Has an electric or a liquid fuel motor with a cylinder capacity displacement not exceeding 50 cubic centimeters or an electric motor with a capacity under 1,500 watts; and