

MAINE STATE LEGISLATURE

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LAWS
OF THE
STATE OF MAINE

AS PASSED BY THE

ONE HUNDRED AND TWENTY-THIRD LEGISLATURE

SECOND REGULAR SESSION
January 2, 2008 to March 31, 2008

FIRST SPECIAL SESSION
April 1, 2008 to April 18, 2008

THE GENERAL EFFECTIVE DATE FOR
SECOND REGULAR SESSION
NON-EMERGENCY LAWS IS
JUNE 30, 2008

THE GENERAL EFFECTIVE DATE FOR
FIRST SPECIAL SESSION
NON-EMERGENCY LAWS IS
JULY 18, 2008

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

Penmor Lithographers
Lewiston, Maine
2008

poses. The definitions of "contribution" and "expenditure" in section 1052, subsections 3 and 4, respectively, apply to persons required to file ballot question reports.

2-A. Contributions. For the purposes of this section, "contribution" includes, but is not limited to:

A. Funds that the contributor specified were given in connection with a ballot question;

B. Funds provided in response to a solicitation that would lead the contributor to believe that the funds would be used specifically for the purpose of initiating, promoting, defeating or influencing in any way a ballot question;

C. Funds that can reasonably be determined to have been provided by the contributor for the purpose of initiating, promoting, defeating or influencing in any way a ballot question when viewed in the context of the contribution and the recipient's activities regarding a ballot question; and

D. Funds or transfers from the general treasury of an organization filing a ballot question report.

3. Forms. A report required by this section must be on a form prescribed and prepared by the commission. A person filing this report may use additional pages if necessary, but the pages must be the same size as the pages of the form.

4. Records. A person filing a report required by this section shall keep records as required by this subsection for one year following the election to which the records pertain.

A. The filer shall keep a detailed account of all contributions made to the filer for the purpose of initiating, promoting, defeating or influencing in any way a ballot question and all expenditures made for those purposes.

B. The filer shall retain a vendor invoice or receipt stating the particular goods or services purchased for every expenditure in excess of \$50.

Sec. 5. 21-A MRSA §1058, as amended by PL 2007, c. 443, Pt. A, §34, is further amended to read:

§1058. Reports; qualifications for filing

A political action committee that is ~~registered~~ required to register with the commission ~~or that accepts contributions or makes expenditures and incurs obligations in an aggregate amount in excess of \$1,500 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 ac-

tion 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.

Sec. 6. 21-A MRSA §1060, sub-§6, as amended by PL 2007, c. 443, Pt. A, §36, is further amended to read:

6. Identification of contributions. Names, occupations, places of business and mailing addresses of contributors who have given more than \$50 to the political action committee in the reporting period and the amount and date of each contribution, except that an organization qualifying as a political action committee under section 1052, subsection 5, paragraph A, subparagraph (5) is required to report only those contributions made to the organization for the purpose of promoting, defeating or influencing a ballot question or the nomination or election of a candidate to political office and all transfers to or funds used to support the political action committee from the general treasury of the organization; and

Sec. 7. 21-A MRSA §1060, sub-§7, as enacted by PL 1991, c. 839, §31 and affected by §33, is amended to read:

7. Other expenditures. Operational expenses and other expenditures in cash or in kind that are not made on behalf of a candidate, committee or campaign, except that an organization qualifying as a political action committee under section 1052, subsection 5, paragraph A, subparagraph (5) is required to report only those expenditures made for the purpose of promoting, defeating or influencing a ballot question or the nomination or election of a candidate to political office.

See title page for effective date.

CHAPTER 478

H.P. 1444 - L.D. 2060

**An Act To Create Consistency
in the Authority of the Public
Utilities Commission To
Provide Tariff Exemptions**

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

Sec. 1. 35-A MRSA §116, sub-§1, ¶B, as enacted by PL 1987, c. 141, Pt. A, §6, is amended to read:

B. For the purposes of this section, "intrastate gross operating revenues" means intrastate revenues derived from filed rates and rates that are exempt from filing requirements pursuant to rules adopted by the commission under section 307-A, except revenues derived from sales for resale.

Sec. 2. 35-A MRSA §7307, sub-§1, ¶A, as enacted by PL 2001, c. 29, §1, is amended to read:

A. Filing a tariff revision with the commission identifying the new price or the change in the terms or conditions of service unless the utility is exempt from filing tariffs pursuant to rules adopted by the commission under section 307-A; and

See title page for effective date.

CHAPTER 479

S.P. 743 - L.D. 1933

An Act To Extend the Deadline for Applications for Loans Associated with the Remediation of a Waste Oil Site in Plymouth

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

Whereas, the waste oil site in Plymouth is contaminated and must be cleaned up expeditiously to protect the public health, safety and welfare; and

Whereas, Public Law 2007, chapter 220 was enacted to provide those seeking to borrow funds from the Finance Authority of Maine with up to 180 days from the effective date of that chaptered law to apply for those funds, and several deadlines in the process have had to be extended; and

Whereas, these extensions have slowed access to certain information necessary for the applicants to borrow the funds, so an extension of 185 days is needed; 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. 10 MRSA §1023-M, sub-§2-D, as enacted by PL 2007, c. 220, §2, is amended to read:

2-D. De minimis settlement. In addition to the uses authorized in subsection 2, money in the fund may be used for direct loans or deferred loans for payments as part of a de minimis settlement, including any settlement premium, between the United States, the State, responsible parties and an applicant. Money may be used only if the authority determines that the applicant has signed all of the settlement documents required by the United States and the State for a de minimis settlement in the matter of the West Site/Hows Corner Superfund Site in Plymouth, Maine. The provisions of subsection 2 apply to loans authorized under this subsection.

Applications submitted pursuant to this subsection must be received within ~~180~~ 365 days after the effective date of this subsection, except that the authority may extend that deadline by an additional period of time not to exceed 60 days for good cause shown.

Sec. 2. Retroactivity clause. This Act applies retroactively to June 4, 2007.

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

Effective February 14, 2008.

CHAPTER 480

S.P. 753 - L.D. 1959

An Act To Promote Tourism in Maine and the Purchase of Products Made in Maine

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

Sec. 1. 23 MRSA §1967, sub-§1, as amended by PL 2001, c. 41, §2, is further amended to read:

1. Property of the authority. All property of the authority and all property held in the name of the State pursuant to the provisions of this chapter are exempt from levy and sale by virtue of any execution, and an execution or other judicial process is not a valid lien upon property of the authority held pursuant to the provisions of this chapter. The authority may not lease, sell or otherwise convey, or allow to be used, any of its real or personal property or easements in that property, franchises, buildings or structures, with access to any part of the turnpike or its approaches, for commercial purposes, with the exception of such intermodal transportation facilities, kiosks at rest areas, gasoline filling stations, service and repair stations, tourist-oriented retail facilities, state and tri-state lottery ticket agencies, automatic teller machines and