

# MAINE STATE LEGISLATURE

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**LAWS**  
**OF THE**  
**STATE OF MAINE**

**AS PASSED BY THE**

**ONE HUNDRED AND TWENTY-FOURTH LEGISLATURE**

**FIRST REGULAR SESSION**  
**December 3, 2008 to June 13, 2009**

**THE GENERAL EFFECTIVE DATE FOR**  
**FIRST REGULAR SESSION**  
**NON-EMERGENCY LAWS IS**  
**SEPTEMBER 12, 2009**

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

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**Augusta, Maine**  
**2009**

tary of State shall maintain a publicly accessible website for posting the notices of all proposed and adopted rules. ~~The notice must include a brief explanation of the proposed or adopted rule and an e-mail link to the agency liaison. Departments and agencies shall either post proposed and adopted rules in their jurisdictions on publicly accessible agency websites or link to the rules posted on the Secretary of State's website. The contents of the notice for electronic publication are pursuant to subsection 3.~~ Notice of each rule-making proceeding must be published on the Secretary of State's website 17 to 24 days prior to the public hearing on the proposed rule or at least 30 days prior to the last date on which views and arguments may be submitted to the agency for consideration if no public hearing was scheduled.

**Sec. 4. 5 MRSA §8053, sub-§7** is enacted to read:

**7. Contents of notice for newspaper publication.** The notice for publication in the newspaper under subsection 5 is shorter than the notice provided for all other purposes pursuant to subsection 3. The notice for newspaper publication must:

A. State the time and place of any scheduled public hearing or state the manner in which a hearing may be requested;

B. State the manner and time within which data, views or arguments may be submitted to the agency for consideration, whether or not a hearing is held;

C. State the name, address and phone number of the staff person responsible for providing additional information or a printed version of the proposed rule;

D. Include a brief and general summary of the substance of the proposed rule;

E. Provide the website address where the long notice pursuant to subsection 3 is posted;

F. Indicate where a copy of the statement of impact on small business pursuant to section 8052, subsection 5-A may be obtained; and

G. Indicate the impact on municipalities or counties only if there is an expected financial impact on municipalities identified under section 8063.

See title page for effective date.

## CHAPTER 257

### S.P. 289 - L.D. 742

#### An Act To Amend the Composition of the Maine Commission on Domestic and Sexual Abuse

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

**Sec. 1. 19-A MRSA §4013, sub-§1, ¶A**, as amended by PL 2005, c. 397, Pt. A, §14, is further amended to read:

A. The Governor shall name the chair from among the following members:

(1) Two members, appointed by the Governor, who are representatives of the statewide coalition of domestic violence projects;

(1-A) Two members, appointed by the Governor, who are representatives of the statewide coalition of sexual assault centers;

(2) One member, appointed by the Governor, who is a representative of the mental health profession;

(3) One member, appointed by the Governor, who is a representative of victims of domestic violence;

(3-A) One member, appointed by the Governor, who is a representative of victims of sexual assault;

(4) Two members, appointed by the Governor, one of whom has experience representing victims of domestic abuse, who are attorneys with experience in domestic relations cases;

(5) One member, appointed by the Governor, who was a victim of domestic abuse and used the court system;

(5-A) One member, appointed by the Governor, who was a victim of sexual assault and used the court system;

(6) One member, appointed by the Governor, who is a district attorney or assistant district attorney;

(7) One member, appointed by the Governor, who is chief of a municipal police department;

(8) One member, appointed by the Governor, who is a county sheriff;

(8-A) One member, appointed by the Governor, who is the statewide coordinator of a statewide coalition to end domestic violence;

(8-B) One member, appointed by the Governor, who is the executive director of a statewide coalition against sexual assault;

(8-C) The Attorney General or the Attorney General's designee;

(8-D) The Chief of the Maine State Police or the chief's designee;

(9) The Commissioner of Public Safety or the commissioner's designee;

(9-A) The Commissioner of Health and Human Services or the commissioner's designee;

(9-C) The Commissioner of Education or the commissioner's designee;

(9-D) The Commissioner of Labor or the commissioner's designee;

(9-E) The Commissioner of Corrections or the commissioner's designee;

(9-F) One member, appointed by the Governor, who has experience working in batterers' intervention programs; ~~and~~

(10) Up to 8 ~~6~~ members-at-large, appointed by the Governor;

(11) Up to 4 members, appointed by the Governor, representing underserved populations; and

(12) One member, appointed by the Governor, who is a tribal member and provides services through a tribal program to tribal members who are victims of domestic or sexual violence.

See title page for effective date.

## CHAPTER 258

### H.P. 766 - L.D. 1111

#### An Act To Promote Transparency and Accountability in Campaigns and Governmental Ethics

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

**Sec. 1. 1 MRSA §1012, sub-§4**, as amended by PL 2007, c. 642, §4, is further amended to read:

**4. Gift.** "Gift" means anything of value, including forgiveness of an obligation or debt, given to a

person without that person providing equal or greater consideration to the giver. "Gift" does not include:

A. Gifts received from a single source during the reporting period with an aggregate value of \$300 or less;

B. A bequest or other form of inheritance;

C. A gift received from a relative or from an individual on the basis of a personal friendship as long as that individual is not a registered lobbyist or lobbyist associate under Title 3, section 313, unless the Legislator has reason to believe that the gift was provided because of the Legislator's official position and not because of a personal friendship;

D. A subscription to a newspaper, news magazine or other news publication; ~~or~~

E. Legal services provided in a matter of legislative ethics;

F. A meal, if the meal is a prayer breakfast or a meal served during a meeting to establish a prayer breakfast; or

G. A meal, if the meal is provided by industry or special interest organizations as part of the informational program presented to a group of public servants.

**Sec. 2. 1 MRSA §1014, sub-§2**, as amended by PL 2007, c. 642, §7, is repealed.

**Sec. 3. 1 MRSA §1014, sub-§2-A** is enacted to read:

**2-A. Undue influence.** It is a violation of legislative ethics for a Legislator to engage in conduct that constitutes the exertion of undue influence, including, but not limited to:

A. Appearing for, representing or advocating for another person in a matter before a state agency or authority, for compensation other than compensation as a Legislator, if the Legislator makes reference to that Legislator's legislative capacity, communicates with the agency or authority on legislative stationery or makes threats or implications relating to legislative action;

B. Appearing for, representing or advocating for another person in a matter before a state agency or authority if the Legislator oversees the policies of the agency or authority as a result of the Legislator's committee responsibilities, unless:

(1) The appearance, representation or advocacy is provided without compensation and for the benefit of a constituent;

(2) The Legislator is engaged in the conduct of the Legislator's profession and is in good