

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

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IN ACCORDANCE WITH MAINE REVISED STATUTES ANNOTATED,
TITLE 3, SECTION 163-A, SUBSECTION 4.

Augusta, Maine
2009

tenced to serve a straight term of imprisonment or a split sentence in a county jail, the chief administrative officer of the hospital shall notify the sheriff of the county jail so that, in accordance with the provisions of Title 15, section 2211-A, the sheriff may process the person to serve the sentence while hospitalized and the person may remain in the hospital until ready for discharge.

Sec. 3. 34-B MRSA §3864, sub-§5, ¶A, as amended by PL 2005, c. 519, Pt. BBBB, §9 and affected by §20, is further amended to read:

A. The District Court shall hold a hearing on the application not later than 14 days from the date of the application. The District Court may separate the hearing on commitment from the hearing on involuntary treatment.

(1) On a motion by any party, the hearing on commitment may be continued for cause for a period not to exceed 10 additional days.

(1-A) On a motion by any party or by the court on its own motion, the hearing on involuntary treatment may be continued for cause for a period not to exceed 21 days from the date of entry of the order on the application for commitment.

(2) If the hearing on commitment is not held within the time specified, or within the specified continuance period, the court shall dismiss the application and order the person discharged forthwith.

(2-A) If the hearing on involuntary treatment is not held within the time specified, or within the specified continuance period, the court shall dismiss the application for involuntary treatment.

(3) In computing the time periods set forth in this paragraph, the Maine Rules of Civil Procedure apply.

Sec. 4. 34-B MRSA §3871, sub-§3-A is enacted to read:

3-A. Discharge limited. A psychiatric hospital may not discharge a person committed under section 3864 solely because the person is placed in execution of a sentence in a county jail.

See title page for effective date.

CHAPTER 282

H.P. 246 - L.D. 310

An Act Regarding Indirect Lobbying

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

Sec. 1. 3 MRSA §312-A, sub-§7-B is enacted to read:

7-B. Indirect lobbying. "Indirect lobbying" means to communicate with members of the general public to solicit them to communicate directly with any covered official for the purpose of influencing legislative action, other than legislation that is before the Legislature as a result of a direct initiative in accordance with the Constitution of Maine, Article IV, Part Third, Section 18, when that solicitation is made by:

A. A broadcast, cable or satellite transmission;

B. A communication delivered by print media; or

C. A letter or other written communication delivered by mail or by comparable delivery service. E-mail is not considered a letter for the purposes of this paragraph.

Sec. 2. 3 MRSA §312-A, sub-§11-A, as amended by PL 2007, c. 630, §8, is further amended to read:

11-A. Original source. "Original source" means any person who contributes or pays \$1,000 or more in any lobbying year directly or indirectly to any employer of a lobbyist for purposes of lobbying or indirect lobbying, except that contributions of membership dues to nonprofit corporations formed under Title 13-B, under any equivalent state law or by legislative enactment are not considered contributions by an original source.

Sec. 3. 3 MRSA §312-A, sub-§14-A is enacted to read:

14-A. Solicit. "Solicit" means to entreat, implore, urge or ask.

Sec. 4. 3 MRSA §317, sub-§1, ¶E-1 is enacted to read:

E-1. When expenditures for the purposes of indirect lobbying exceed \$15,000 during the month that is the subject of the report, the specific dollar amount of expenditures for indirect lobbying made or incurred during the month by a lobbyist, lobbyist associate or employer, with separate totals for expenditure categories as determined by the commission, the legislative actions that are the subject of the indirect lobbying and a general description of the intended recipients;

Sec. 5. 3 MRSA §317, sub-§1, ¶J, as amended by PL 2007, c. 630, §14, is further amended to read:

J. A list of all of the employer's original sources who have contributed or paid \$1,000 or more during the lobbying year directly or indirectly to the

~~employer for purposes of lobbying and a statement of the dollar amounts contributed or paid by the original sources to the employer.~~ If the original source is a corporation formed under Title 13 or 13-C or former Title 13-A, nonprofit corporation formed under Title 13-B or limited partnership under Title 31, the corporation, nonprofit organization or limited partnership, not the individual members or contributors, must be listed as the original source.

Sec. 6. Appropriations and allocations. The following appropriations and allocations are made.

ETHICS AND ELECTION PRACTICES, COMMISSION ON GOVERNMENTAL

Governmental Ethics and Election Practices - Commission on 0414

Initiative: Provides funds to modify the commission's lobbyist system and public disclosure website.

OTHER SPECIAL REVENUE FUNDS	2009-10	2010-11
All Other	\$10,000	\$0
	\$10,000	\$0
OTHER SPECIAL REVENUE FUNDS TOTAL		

See title page for effective date.

CHAPTER 283

H.P. 109 - L.D. 345

An Act To Regulate the Rockweed Harvest in Cobscook Bay

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 sustainability of the harvesting practices used to harvest rockweed in Cobscook Bay has been questioned; and

Whereas, additional regulation of rockweed harvesting in Cobscook Bay is necessary to ensure the conservation and long-term health of rockweed in the bay; and

Whereas, this legislation must take effect immediately in order to apply to the harvest of rockweed in Cobscook Bay this spring; 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. 12 MRSA §6803-A is enacted to read:

§6803-A. Seaweed buyer's license

1. License required. A seaweed buyer's license is required for a person who purchases more than 10 wet tons annually directly from seaweed harvesters holding a permit under section 6803. A person may not engage in the activities authorized under this section without a current seaweed buyer's license.

2. Licensed activity. The holder of a seaweed buyer's license may buy, possess, ship, transport or sell seaweed.

3. Fees. The fee for a seaweed buyer's license is:

A. Two hundred dollars for a resident seaweed buyer's license; and

B. Five hundred dollars for a nonresident seaweed buyer's license.

4. Disposition of fees. Fees collected under this section accrue to the Seaweed Management Fund established in section 6806.

5. Violation. A person who violates this section commits a civil violation for which a fine of not less than \$100 or more than \$500 may be adjudged.

Sec. 2. 12 MRSA §6803-B is enacted to read:

§6803-B. Seaweed buyer's surcharge

A person licensed under section 6803-A shall pay an annual surcharge, which must be deposited in the Seaweed Management Fund established under section 6806. The commissioner shall establish the surcharge by rule, but the surcharge may not exceed \$5 per wet ton. The commissioner may refuse to renew a license under this Part or exclude a person from participating in harvest plans under section 6803-C, subsection 4 for failing to pay the surcharge under this section.

Sec. 3. 12 MRSA §6803-C is enacted to read:

§6803-C. Cobscook Bay Rockweed Management Area

1. Definitions. As used in this section, unless the context otherwise indicates, the following terms have the following meanings.

A. "Cobscook Bay Rockweed Management Area" means the area of Cobscook Bay westward and within a line between the southernmost tip of Estes Head due east to the Canadian border and south along the border to the Franklin D. Roosevelt International Memorial Bridge.