

MAINE STATE LEGISLATURE

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STATE OF MAINE
123RD LEGISLATURE
FIRST REGULAR SESSION



Summaries of bills and adopted amendments and laws enacted or finally passed during the First Regular Session of the 123rd Maine Legislature coming from the

**JOINT STANDING COMMITTEE ON LEGAL AND
VETERANS' AFFAIRS**

July 2007

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STATE OF MAINE

123RD LEGISLATURE

FIRST REGULAR SESSION

LEGISLATIVE DIGEST OF BILL SUMMARIES AND ENACTED LAWS



This *Legislative Digest of Bill Summaries and Enacted Laws* summarizes all bills and adopted amendments and all laws enacted or finally passed during the First Regular Session of the 123rd Maine Legislature, which was in session from December 6, 2006 to June 21, 2007.

The *Digest* is arranged alphabetically by committee, and within each committee by LD number. The committee report(s), prime sponsor and lead co-sponsor(s), if designated, are listed below each bill title. All adopted amendments are summarized and listed by paper number. A subject index is included with each committee. The appendices include a summary of relevant session statistics, an index of all bills by LD number and an index of enacted laws by law type and chapter number.

Final action on each bill is noted to the right of the bill title. The abbreviations used for various categories of final action are as follows:

CON RES XXX.....	Chapter # of Constitutional Resolution passed by both Houses
CONF CMTE UNABLE TO AGREE.....	Committee of Conference unable to agree; bill died
DIED BETWEEN BODIES.....	House & Senate disagree; bill died
DIED IN CONCURRENCE.....	One body accepts ONTP report; the other indefinitely postpones the bill
DIED ON ADJOURNMENT.....	Action incomplete when session ended; bill died
EMERGENCY.....	Enacted law takes effect sooner than 90 days
FAILED EMERGENCY ENACTMENT/FINAL PASSAGE.....	Emergency bill failed to get 2/3 vote
FAILED ENACTMENT/FINAL PASSAGE.....	Bill failed to get majority vote
FAILED MANDATE ENACTMENT.....	Bill imposing local mandate failed to get 2/3 vote
NOT PROPERLY BEFORE THE BODY.....	Ruled out of order by the presiding officers; bill died
INDEF PP.....	Bill Indefinitely Postponed
ONTP (or Accepted ONTP report).....	Ought Not To Pass report accepted
OTP-ND.....	Committee report Ought To Pass In New Draft
P&S XXX.....	Chapter # of enacted Private & Special Law
PASSED.....	Joint Order passed in both bodies
PUBLIC XXX.....	Chapter # of enacted Public Law
RESOLVE XXX.....	Chapter # of finally passed Resolve
UNSIGNED.....	Bill held by Governor
VETO SUSTAINED.....	Legislature failed to override Governor's Veto

Please note that the effective date for non-emergency legislation enacted in the First Regular Session is **September 20, 2007**. The effective date for legislation enacted as an emergency measure is specified in the enacted law summary for those bills.

Joint Standing Committee on Legal and Veterans Affairs

campaign and must come from the candidate's district. To be certified as a Maine Clean Election Act candidate, the candidate must raise qualifying contributions in numbers and amounts as follows:

	Minimum number of contributors	Total sum required to qualify
For House	50	\$500
For Senate	150	\$1,500
For Governor	2,500	\$25,000

The number of required contributors remains the same as in present law, but the minimum amount of money required is doubled from \$5 per check to what would be an average of \$10 if only the minimum number were obtained. Each \$5 contribution still counts and contributions up to \$40 are acceptable. Instead of turning checks in to the commission, this bill provides that candidates submit an acknowledgment receipt signed by each contributor as evidence of the payment and support.

Under this bill, initial distributions from the Maine Clean Election Fund to a candidate certified as a Maine Clean Election Act candidate are reduced by one-half of the qualifying contributions collected. Under this bill, the qualifying period would begin on November 1st of the year prior to an election year for candidates for all offices. Current law provides that November 1st is the beginning of the qualifying period for just gubernatorial candidates. The bill repeals a provision that presently allows an unenrolled candidate to receive a distribution equal to a primary or general election campaign distributions in uncontested races if the candidate qualifies before April 15th. For unenrolled candidates, distributions are set at 40% of those available to a party candidate unless the unenrolled candidate obtains a number of contributors equal to 160% of those required for a party candidate. The total dollar sum of contributions required by current law remains the same for party and for unenrolled candidates under this bill.

This bill prohibits a registered voter from making a qualifying contribution to more than one candidate for the same office. This bill removes a provision that permits a candidate to pay the fee for money orders to be used as qualifying contributions since it provides for the authorization of cash transactions for qualifying contributions. The bill provides that no revenue from the Maine Clean Election Fund may be pledged or applied to the collection of qualifying contributions.

This bill expands from 21 days to 42 days the period before an election in which a paid communication is deemed to be an independent expenditure if it clearly identifies a candidate on the ballot.

The bill also adds a private funding option for candidates. Before April 15th of an election year, a candidate whose campaign is supported by private contributions may request that the Commission on Governmental Ethics and Election Practices provide matching fund protections of the Maine Clean Election Act if the candidate agrees to limit and does, in fact, limit campaign contributions and expenditures to the amount that would be authorized for distribution to the candidate if the candidate were qualified as a Maine Clean Election Act candidate. A candidate making such an election is entitled to public matching funds in the same manner as a qualified Maine Clean Election Act candidate.

This bill was considered with a larger comprehensive bill that addressed campaign finance and the Maine Clean Election Act, LD 1854.

LD 1682 **An Act To Improve Maine's Clean Election Law**

ONTP

Sponsor(s)

RAYE

Committee Report

ONTP

Amendments Adopted

Joint Standing Committee on Legal and Veterans Affairs

This bill requires that:

1. A candidate for Governor must raise at least \$35,000 in seed money contributions to qualify as a Maine Clean Election Act candidate;
2. A candidate for the state Senate must raise at least \$1,000 in seed money contributions to qualify as a Maine Clean Election Act candidate; and
3. A candidate for the state House of Representatives must raise at least \$350 in seed money contributions to qualify as a Maine Clean Election Act candidate.

This bill was considered with a larger comprehensive bill that addressed campaign finance and the Maine Clean Election Act, LD 1854.

LD 1688 An Act To Allow the Use of Credit Cards To Purchase Wine, Beer and Spirits from Distributors

ACCEPTED ONTP
REPORT

<u>Sponsor(s)</u>	<u>Committee Report</u>	<u>Amendments Adopted</u>
PLOWMAN	ONTP MAJ OTP-AM MIN	

This bill amends the current law that requires shipments of alcoholic beverages to be paid for in full, in cash at the time of delivery. This law applies to the state's spirits wholesaler who sells to state agency stores, state agency stores who are reselling agents and supply bars and restaurants and beer and wine wholesalers who supply on-premises and off-premises licensees.

This bill, as it amends current law, would provide that the spirits wholesaler may accept payment by credit card and that reselling agents and beer/wine wholesalers may only accept payment in the form of cash, check, electronic funds transfer or credit card.

LD 1704 An Act To Make Changes in the Laws Regarding Raffles

PUBLIC 378

<u>Sponsor(s)</u>	<u>Committee Report</u>	<u>Amendments Adopted</u>
BRYANT M	OTP-AM	H-457

Current law permits raffles to be sold during the one hour period before a beano game. This bill extends that timeframe so that raffles may be sold for one hour after the game begins (thus, during beano play). It also provides that a raffle for a prize valued at greater than \$10,000 but less than \$75,000 may be divided into multiple drawings not to go beyond 1 year.

Committee Amendment "A" (H-457)

This amendment strikes a provision in the bill that permits raffle tickets to be sold up to one hour after a beano game as an exception to current law. This amendment specifies that multiple drawing raffles are progressive raffles that are divided into a maximum of 12 drawings with previous entries rolled into subsequent drawings.

Enacted Law Summary

Public Law 2007, chapter 378 provides for multiple drawing raffles and specifies that they are progressive raffles that are divided into a maximum of 12 drawings with previous entries rolled into subsequent drawings.