

MAINE STATE LEGISLATURE

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STATE OF MAINE
124TH LEGISLATURE
FIRST REGULAR SESSION



Summaries of bills, adopted amendments and laws enacted or finally passed during the First Regular Session of the 124th Maine Legislature coming from the

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

July 2009

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STATE OF MAINE

124TH LEGISLATURE
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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 124th Maine Legislature.

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:

CARRIED OVER.....	Carried over to a subsequent session of the Legislature
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; bill died
ONTP (or Accepted ONTP report).....	Ought Not To Pass report accepted; bill died
P&S XXX.....	Chapter # of enacted Private & Special Law
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

The effective date for non-emergency legislation enacted in the First Regular Session of the 124th Legislature is September 12, 2009. The effective date for legislation enacted as an emergency measure is specified in the enacted law summary for those bills.

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percentage of the excess must be dedicated to the veterans' cemeteries. This calculation would be made on an ongoing basis, with the previous year being used as the base year. Revenues transferred to the veterans' cemeteries pursuant to this provision would be capped at \$50,000 per cemetery per year.

LD 306 An Act To Reimburse Philip Wolley for Litigation Expenses Incurred in Connection with His Termination and Reinstatement as a State Employee

**ACCEPTED ONTP
REPORT**

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

This bill makes a one-time General Fund appropriation of \$28,000 in fiscal year 2009-10 to reimburse Philip Wolley for litigation expenses incurred in connection with his termination and subsequent reinstatement as a state employee.

Committee Amendment "A" (H-163)

This amendment clarifies that the litigation expenses to be reimbursed are associated with Philip Wolley's defense against criminal charges, which were ultimately dismissed by the Attorney General.

Committee Amendment "A" was not adopted.

LD 310 An Act Regarding Indirect Lobbying

PUBLIC 282

<u>Sponsor(s)</u>	<u>Committee Report</u>	<u>Amendments Adopted</u>
TRINWARD SULLIVAN	OTP-AM MAJ ONTP MIN	H-208

The bill defines "grassroots lobbying." It provides that a person who already files monthly reports as a lobbyist must disclose grassroots lobbying payments and expenditures. For a person who does not file reports as a lobbyist, the bill requires disclosure of grassroots lobbying expenditures once more than \$2,000 has been spent on grassroots lobbying.

Committee Amendment "A" (H-208)

This amendment strikes the provision in the bill that would have required a person who is not already reporting as a lobbyist to submit a report to the Commission on Governmental Ethics and Election Practices when that person has spent in excess of \$2,000 on grassroots lobbying. The amendment also changes the term "grassroots lobbying" to "indirect lobbying." It specifies that indirect lobbying is communication to members of the general public soliciting them to directly communicate with Legislators or members of the executive branch regarding a legislative action. Under this amendment reporting indirect lobbying expenditures would not be required until \$15,000 was spent on that activity during the month subject to the report. It also adds an appropriations and allocations section.

Enacted Law Summary

Public Law 2009, chapter 282 amends the law governing lobbying to specify that indirect lobbying is communication to members of the general public soliciting them to directly communicate with Legislators or members of the executive branch regarding a legislative action, not including a bill before the legislature as the result of a citizen initiative. Under this law, reporting on indirect lobbying expenditures would be required of

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lobbyists when \$15,000 or more was spent on that activity by a lobbyist or employer during the month subject to the report.

LD 311 An Act Concerning Late Rent Fee Charges in Residential Tenancies

**ACCEPTED ONTP
REPORT**

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

This bill lowers the number of days from 15 to 7 before a fee can be charged for the late payment of rent.

Committee Amendment "A" (H-164)

This amendment is the minority report of the committee. The amendment changes the number of days from 7 to 10 before a fee can be charged for the late payment of rent.

Committee Amendment "A" was not adopted.

LD 312 An Act To Require Campaign Finance Reports of Independent Expenditures To Contain a Copy of an Advertisement

ONTP

<u>Sponsor(s)</u>	<u>Committee Report</u>	<u>Amendments Adopted</u>
MAGNAN	ONTP	

This bill amends the campaign finance laws to require that the report of independent expenditures contain a copy of the final draft of any mailer, postcard or advertisement or script of any broadcast or telephone call that is in opposition to a candidate.

LD 328 An Act To Require Economic Research Organizations To Report Financial Matters to the Commission on Governmental Ethics and Election Practices

ONTP

<u>Sponsor(s)</u>	<u>Committee Report</u>	<u>Amendments Adopted</u>
TUTTLE	ONTP	

This bill requires economic research organizations to file quarterly financial reports with the Commission on Governmental Ethics and Election Practices.