

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
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 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:

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

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.

Joint Standing Committee on Legal and Veterans Affairs

11. Amends the definition of "political action committee" to include organizations receiving contributions above certain thresholds for the purpose of influencing elections;
12. Clarifies the reporting procedures for political action committees that are raising and spending money to influence municipal elections;
13. Requires political action committees organized outside the State that are raising or spending money to influence Maine elections to file financial reports on forms prescribed by the Commission on Governmental Ethics and Election Practices similar to in-state committees;
14. Specifies that ballot question committees must file financial reports and keep financial records in the same manner as political action committees;
15. Clarifies that political action committees must keep records of their campaign finances for 4 years after the election to which the records pertain;
16. Adjusts the end dates of 2 quarterly campaign finance reports filed by political action committees to December 31st and June 30th so that the dates coincide with the end of quarters of the calendar year;
17. Clarifies that political action committees must report expenditures made to support or to oppose candidates;
18. Requires political action committees to dispose of any surplus money before terminating, and clarifies the procedures for terminating a committee; and
19. Imposes a single maximum of \$10,000 for all late filing penalties assessed against political action committees or ballot question committees.

Chapter 190 also makes changes affecting the Maine Clean Election Act in the Maine Revised Statutes, Title 21-A, chapter 14. This portion of chapter 190:

1. Clarifies that candidates who have committed substantial violations of the Maine Clean Election Act or the campaign finance law are ineligible to receive public campaign funding under the Maine Clean Election Act;
2. Adjusts the quadrennial deadline for the Commission on Governmental Ethics and Election Practices to publish a study report concerning the Maine Clean Election Act so that the report is due on the March 15th after a gubernatorial election; and
3. Clarifies that the voters of this State may make \$5 qualifying contributions over the Internet according to the procedures established by the Commission on Governmental Ethics and Election Practices.

LD 1025 An Act To Allow Choice of Wine by Maine Consumers

ONTP

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

This bill establishes a wine connoisseur permit. This permit provides that a person may order a total of 12 9-liter cases of wine per year shipped from a specialty wine permit holder by way of a common carrier. The fee for a wine connoisseur permit is \$75 per year.

Joint Standing Committee on Legal and Veterans Affairs

This bill also grants routine technical rule-making authority to the Department of Public Safety's division of liquor licensing and compliance to ensure that bottles of wine received under a wine connoisseur permit comply with the bottle deposit law.

The bill also establishes a specialty wine permit. The permit provides that a person who ferments, ages and bottles that person's own wine may ship up to 50 9-liter cases of wine annually to wine connoisseur permit holders. The annual fee for a specialty wine permit is \$100. The bill also grants routine technical rule-making authority to the division to ensure that specialty wine permit holders sell and deliver the wine only to qualified wine connoisseur permit holders and directs the division to include annual reporting guidelines in the rules.

The bill allows a farm winery license holder to sell wine outside of the State as long as the farm winery complies with the laws of the jurisdiction where the wine is delivered.

The bill requires that, except for purchase by licensees, all purchases of liquor must be made in person.

LD 1041 *An Act To Alter the Mechanism by which a Political Party is a Qualified Party*

PUBLIC 426

<u>Sponsor(s)</u>	<u>Committee Report</u>	<u>Amendments Adopted</u>
CAREY	OTP	

This bill eliminates the requirement that for a political party to participate in a primary election it must poll at least 5% of the total vote cast for Governor or President in either of the last 2 general elections and adds a new requirement that at least 10,000 members of the party must have voted in the last general election in order for the party to participate in a primary election.

Enacted Law Summary

Public Law 2009, chapter 426 eliminates the requirement that for a political party to participate in a primary election it must poll at least 5% of the total vote cast for Governor or President in either of the last 2 general elections and adds a new requirement that at least 10,000 members of the party must have voted in the last general election in order for the party to participate in a primary election.

LD 1065 *An Act To Change the Campaign Finance Laws Pertaining to Campaign Contributions To Allow for Increases Indexed to Inflation*

LEAVE TO WITHDRAW

<u>Sponsor(s)</u>	<u>Committee Report</u>	<u>Amendments Adopted</u>
GOODALL	LTW	

This bill raises the gubernatorial campaign contribution limit from \$500 to \$1,000 for any election. It also raises the campaign contribution limit for all other candidates from \$250 to \$350 for any election. This bill also allows a candidate to raise money for a primary and a general election at the same time as long as the contribution is distributed into 2 separate accounts and that the total contribution does not exceed the total contribution limit of \$2,000 for a gubernatorial candidate, not to exceed \$1,000 for the primary election and \$1,000 for the general election, or \$700 for any other candidate, not to exceed \$350 for the primary election and \$350 for the general