

# MAINE STATE LEGISLATURE

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**STATE OF MAINE**  
124<sup>TH</sup> LEGISLATURE  
FIRST REGULAR SESSION



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

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

July 2009

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**STAFF:**

DANIELLE D. FOX, LEGISLATIVE ANALYST  
OFFICE OF POLICY AND LEGAL ANALYSIS  
13 STATE HOUSE STATION  
AUGUSTA, ME 04333  
(207) 287-1670

# STATE OF MAINE

124<sup>TH</sup> 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 124<sup>th</sup> 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 124<sup>th</sup> 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*

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 elect to be covered by the matching fund protections of the Maine Clean Election Act if the candidate agrees to limit and does 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 as if the candidate had qualified as a Maine Clean Election Act candidate.

**LD 1195     An Act To Allow Noncitizen Residents To Vote in Municipal Elections**

**ACCEPTED ONTP  
REPORT**

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

This bill authorizes municipalities to allow noncitizen residents to vote in municipal elections.

**LD 1197     An Act To Improve the Maine Clean Election Act**

**PUBLIC 286**

<u>Sponsor(s)</u>	<u>Committee Report</u>	<u>Amendments Adopted</u>
GOODALL	OTP-AM	S-214 S-246 DAMON S-291 SULLIVAN

This bill makes several changes to the laws governing clean elections and governmental ethics.

The bill amends the laws governing legislative ethics by expanding upon the prohibitions on certain campaign contributions from and solicitations of lobbyists, lobbyist associates or employers. It clarifies that the prohibitions apply to contributions to a political action committee closely associated with a Legislator, Governor or constitutional officer.

The bill amends the definition of "contribution" under the campaign reporting laws to clarify that the 40-hour limitation applies to individual employees'; contributions and not to the state party committee as a whole.

The bill amends the reporting requirements for political action committees found in the Maine Revised Statutes, Title 21-A, section 1059 to equalize the aggregate dollar threshold of their reporting requirements for contributions made within the final 2 weeks of an election with the aggregate threshold for candidates, found in Title 21-A, section 1017, subsection 3, paragraph C.

The bill requires a certified Maine Clean Election Act candidate to provide explanations of payments made to political committees to the Commission on Governmental Ethics and Election Practices to ensure that payments are made solely to promote that candidate's election.

**Committee Amendment "A" (S-214)**

## *Joint Standing Committee on Legal and Veterans Affairs*

This amendment strikes the provisions of the bill that propose to change the definition of "contribution" as it relates to assistance provided by party employees and the increase in the trigger from \$500 to \$1,000 that would require political action committees to file 24-hour reports. The amendment maintains the provision in the bill that expands the prohibition on certain campaign contributions from and solicitations of lobbyists as they apply to political action committees closely associated with a Legislator, Governor or constitutional officer. It also maintains the provision that requires more detailed information regarding payments made to political action committees by candidates participating in the Maine Clean Election Act. The amendment also increases the number of qualifying contributions required of legislative candidates to 175 for candidates for the Senate and to 60 for House candidates. It makes the qualifying period for legislative candidates seeking Maine Clean Election Act certification end on April 20th. It changes the distribution to unopposed legislative candidates in a general election from 40% to 33% of the distributions to candidates in a contested general election. Finally, this amendment raises the contribution limits in traditionally funded campaigns to \$750 for gubernatorial and \$350 for all other races. Beginning December 1, 2010 those contribution limits will be automatically adjusted every 2 years based on the Consumer Price Index and rounded to the nearest \$25. The amendment also requires the Commission on Governmental Ethics and Election Practices to adopt rules that will permit the collection of general election contributions during a primary election cycle.

### **Senate Amendment "A" To Committee Amendment "A" (S-246)**

This amendment is being presented on behalf of the Committee on Bills in the Second Reading to prevent a conflict by incorporating a change made to the Maine Revised Statutes, Title 21-A, section 1122, subsection 7, paragraph A in Public Law 2009, chapter 190.

### **Senate Amendment "B" To Committee Amendment "A" (S-291)**

This amendment extends the qualifying period for State Senate or State House of Representatives candidates participating in the Maine Clean Election Act until the next business day if the office of the Commission on Governmental Ethics and Election Practices is closed on the last day of the qualifying period.

### **Enacted Law Summary**

Public Law 2009, chapter 286 amends the law that prohibits the acceptance of contributions from lobbyists to the Governor, a member of the Legislature or a constitutional officer during the time when the Legislature is in session to also include contributions to a political action committee, ballot measure committee or party committee of which the Governor, member of the Legislature or a constitutional officer is a treasurer, officer, primary fund-raiser or decision maker. It also increases the contribution limits for candidates from \$500 to \$750 for gubernatorial candidates and from \$250 to \$350 for legislative and other candidates. Beginning December 2010, those contribution limits will be automatically adjusted in accordance with the Consumer Price Index every 2 years.

Chapter 286 also amends the Maine Clean Election Act to allow for qualifying contributions to be in an amount of \$5 or more. It makes the qualifying period for legislative candidates from January 1st to April 20th of an election year. It raises the number of qualifying contributions required from 150 to 175 for Senate candidates and from 50 to 60 for candidates for the House of Representatives. The law provides that distribution of Maine Clean Election Funds to uncontested candidates in general elections will be 33% of the amount distributed to contested candidates. The law also requires greater detail when reporting payment of Maine Clean Election funds to a political action committee or a party committee by a participating candidate.