

# 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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# 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

**LD 1380**

## **An Act To Amend the Maine Clean Election Laws Governing Gubernatorial Candidates**

**PUBLIC 363  
EMERGENCY**

<u>Sponsor(s)</u>	<u>Committee Report</u>	<u>Amendments Adopted</u>
PINGREE MITCHELL E	OTP-AM	H-429 H-529 TRINWARD

This bill changes the requirements for a gubernatorial candidate who wishes to run for Governor as a participating candidate in the Maine Clean Election Act. This bill removes the extended qualifying period for unenrolled candidates seeking to certify as participating candidates. It requires the collection of at least \$40,000 in seed money contributions from registered voters in the State and requires that each seed money contributor fill out a contribution acknowledgment form that, along with other information, states that the contributor made the contribution using personal funds and will not be reimbursed by any source. It allows a gubernatorial candidate to collect up to \$300,000 in seed money. Current law limits seed money to \$50,000. The bill also provides that failure to properly report seed money contributions may result in revocation of the candidate's certification as a Maine Clean Election Act candidate. The bill changes the distribution amount for primary election funds to gubernatorial candidates to \$400,000 for each election. The bill also limits matching funds distributed to gubernatorial candidates to \$400,000 instead of twice that amount.

### **Committee Amendment "A" (H-429)**

This amendment replaces the bill. It makes several changes to the laws regarding gubernatorial candidates under the Maine Clean Election Act. It changes the end of the qualifying period for those candidates from April 15th to April 1st of the election year. It requires a gubernatorial candidate to raise a minimum of \$40,000 in seed money contributions from registered voters in the State in order to qualify for Maine Clean Election Act funds and raises the existing seed money cap for gubernatorial candidates from \$50,000 to \$200,000. The amendment requires a method of documenting seed money contributions similar to the bill and eliminates repetitive requirements regarding documentation. The amendment specifies that the increased amount of \$400,000 for primary distributions under the bill is for contested candidates by stating that uncontested candidates only receive \$200,000. It also clarifies that the distribution from the Maine Clean Election Fund for certified unenrolled gubernatorial candidates would be the same as for uncontested gubernatorial candidates. The amendment specifies that rules to implement this legislation are routine technical rules and that the changes made by the legislation apply to gubernatorial candidates beginning with the 2010 election even if they filed a declaration of intent with the Commission on Governmental Ethics and Election Practices prior to its enactment. The amendment also adds an appropriations and allocations section.

### **House Amendment "A" To Committee Amendment "A" (H-529)**

This amendment adds an emergency preamble and emergency clause to Committee Amendment "A." This amendment also changes the start date of the qualifying period for gubernatorial candidates from November 1st to October 15th.

### **Enacted Law Summary**

Public Law 2009, chapter 363 makes changes to the provisions of the Maine Clean Election Act governing gubernatorial candidates. It sets the qualifying period to be a participating candidate as October 15th immediately preceding an election year April 1st of an election year. It requires a minimum of \$40,000 in seed money contributions from registered Maine voters. The maximum seed money contributions allowed is \$200,000. The law establishes a process for documenting seed money contributions and reporting them to the Commission on Governmental Ethics and Election Practices. The law changes how Maine Clean Election Fund are distributed to contested gubernatorial candidates so that they receive \$400,000 during the primary election period. General

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election distributions remain the same, \$600,000 but matching funds are reduced from 2 times the amount distributed in the general election to 1/2 the amount distributed in the general election. Finally, this law clarifies when unenrolled candidates who have qualified for Maine Clean Election funds will receive distributions from the fund.

This law was enacted as an emergency measure effective June 11, 2009.

**LD 1420     An Act To Alter the Distribution of Maine Clean Election Act Funding  
to Gubernatorial Candidates**

**Carried Over**

Sponsor(s)

CAREY

Committee Report

Amendments Adopted

This bill does the following.

1. It reduces from 3,250 to 750 the number of qualifying contributions required for a gubernatorial candidate to be certified as a Maine Clean Election Act candidate.
2. It provides that a Maine Clean Election Act gubernatorial candidate may continue to collect \$5 contributions from registered voters in the State.
3. It allows a voter who provides a \$5 qualifying contribution to a gubernatorial candidate in a contested primary to provide an additional \$5 contribution to that candidate after certification.
4. It provides that each \$5 qualifying contribution and each \$5 additional contribution must be matched by a distribution of \$55 from the Maine Clean Election Fund.
5. It increases the distribution limits for gubernatorial primary elections from \$200,000 to \$350,000 and for gubernatorial general elections from \$600,000 to \$750,000.

This bill was carried over to any special or regular session of the 124th Legislature by joint order, H.P. 1053.

**LD 1421     An Act To Ensure the Perpetual Care of Maine Veterans' Cemeteries**

**Carried Over**

Sponsor(s)

COTTA  
MITCHELL E

Committee Report

Amendments Adopted

This bill is a concept draft pursuant to Joint Rule 208. The purpose of this bill is to ensure the perpetual care of Maine veterans'; cemeteries. In order to accomplish this purpose, this bill establishes an irrevocable trust account within the Department of Defense, Veterans and Emergency Management for the exclusive purpose of maintenance, upkeep and care of veterans'; cemeteries within the State. Under the bill, the irrevocable trust will be authorized to receive, in addition to allocations from the Legislature, gifts, bequests and other funds from public or private agencies. Funds in the trust may not be encumbered for, or diverted to, purposes other than the maintenance and care of veterans'; cemeteries within the State.