

*Joint Standing Committee on Legal and Veterans Affairs*

**LD 70**                      **An Act To Amend the Laws Governing the Funding of State Special Elections**                      **DIED ON ADJOURNMENT**

<u>Sponsor(s)</u> BROWN		<u>Committee Report</u> OTP-AM		<u>Amendments Adopted</u> H-354
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LD 70 proposed to require the State to pay the cost of holding special elections allowed by the Legislature by reimbursing municipalities for the election costs directly incurred.

**Committee Amendment “A” (H-354)** proposed to replace the bill. It would have provided that the State reimburse municipalities for the costs of conducting a special election for the purpose of voting on bonds. Reimbursement rates would have been based on the population of a municipality.

LD 70 was carried over on the Special Appropriations Table from the First Special Session of the 122<sup>nd</sup> by S. P. 640.

**LD 234**                      **An Act To Establish a Transparent Pricing Formula for Distilled Spirits**                      **ONTP**

<u>Sponsor(s)</u> TUTTLE		<u>Committee Report</u> ONTP		<u>Amendments Adopted</u>
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LD 234, a concept draft pursuant to Joint Rule 208, proposed to require that the pricing formula the State adopts for liquor be made available to the public. The State would be required to give notice of price changes and provide an opportunity for interested parties to make comments. The resulting liquor prices would be based upon an objective standard.

**LD 329**                      **An Act Concerning Recognition of Qualified Political Parties**                      **DIED ON ADJOURNMENT**

<u>Sponsor(s)</u> EDER		<u>Committee Report</u> OTP-AM		<u>Amendments Adopted</u> H-161
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LD 329 proposed that a recognized political party would be able to maintain its qualified status by either receiving 5% of the ballots cast for Governor or President in either of the 2 preceding general elections or maintaining an enrollment of members equal to 0.5% of all registered voters in the State.

**Committee Amendment “A” (H-161)** proposed to raise the percentage of registered voters a political party would need to have enrolled in order to achieve qualified party status from 0.5%, as proposed in the bill, to 1% according to at least one tabulation of registered voters in either of the 2 preceding elections.

LD 329 was carried over on the Special Appropriations Table from the First Special Session of the 122<sup>nd</sup> Legislature by S.P. 640.

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LD 496

An Act To Extend Term Limits

**DIED BETWEEN  
BODIES**

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

LD 496 proposed to extend the number of years of service authorized under the term limits law from 8 to 12 for Legislators. The bill would have required that the voters of the State vote on this matter at the statewide election held in the year 2005.

**Committee Amendment “A” (H-729)** proposed to replace the bill. This amendment proposed to repeal term limits for state Senators and members of the state House of Representatives subject to approval by voters at a referendum to be held in November 2006. The repeal would have applied to terms beginning December 6, 2006.

**House Amendment “A” (H-811)** proposed to clarify that the 8-year term limits would have applied to anyone serving in the 122nd Legislature. Persons elected for the first time or to a nonconsecutive term in the 123rd Legislature would have had term limits of 12 years. The amendment also proposed to change the referendum to make it coincide with the next general election in November.

LD 496 was carried over by the Legal and Veterans’ Affairs Committee to the Second Regular Session of the 122<sup>nd</sup> Legislature.

**House Amendment “A” to Committee Amendment “A” (H-733)** proposed to present 3 questions to the voters of the State to vote on at the general election held in the year 2006. The first question would have been whether the voters wish to extend the number of years of service authorized under the term limits law from 8 to 16 for Legislators. The 2nd question would have been whether the voters wish to repeal term limits for state Senators and members of the House of Representatives. The 3rd question would have been whether the voters wish to retain the existing law that establishes term limits of 8 years for Legislators.

**Senate Amendment “A” to Committee Amendment “A” (S-433)** presents 3 questions to the voters of the State to vote on at the general election held in the year 2006. The first question is whether the voters wish to extend the number of years of service authorized under the term limits law from 8 to 16 for Legislators. The 2nd question is whether the voters wish to repeal term limits for state Senators and members of the House of Representatives. The 3rd question is whether the voters wish to retain the existing law that establishes term limits of 8 years for Legislators.

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LD 560

**Resolve, Directing the Department of Public Safety To Study the Issues of Alcohol Regulation and To Review the Impact of Out-of-state Sales and Direct Distribution to Maine Consumers**

RESOLVE 206

<u>Sponsor(s)</u>	<u>Committee Report</u>	<u>Amendments Adopted</u>
LINDELL	ONTP MAJ	H-1055 VALENTINO
PLOWMAN	OTP-AM MIN	H-975

LD 560 proposed to allow an out-of-state shipper to ship wine or malt liquor directly to a resident of this State who is 21 years of age or older for that resident's personal use.

**Committee Amendment “A” (H-527)**, which was not adopted, was the minority report. It proposed to remove malt liquor from the language permitting shipment of alcoholic beverages directly to consumers and permits only wine to be directly shipped to a Maine resident from another state. It would limit the amount of wine a person can ship directly to residents of the State to 50 cases per year and to 5 cases per individual per year.

LD 560 was carried over by the Legal and Veterans’ Affairs Committee to the Second Regular Session of the 122<sup>nd</sup> Legislature.

**Committee Amendment “B” (H-975)** proposed to replace the bill and was the minority report of the committee when the bill was taken up again after being carried over from the First Special Session. This amendment proposed to establish a wine connoisseur permit. This permit would provide that a person may have up to 12 cases of wine shipped from in-state or out-of-state wineries by way of a common carrier. The fee for a wine connoisseur permit would be \$50 and the annual renewal fee would be \$25. The holder of a wine connoisseur permit would be required to pay all applicable taxes and must retain records of wine shipments for 2 years. The amendment would require the holder of a permit to provide the nearest wine wholesaler the opportunity to obtain the wine. The wholesaler would have 48 hours to identify a retail location where that wine would become available for sale. This amendment would provide that the fee for the permit is waived if the applicant for the permit shows proof that the applicant made a purchase from a farm winery in Maine within the previous 6 months. Finally, this amendment proposed to grant routine technical rulemaking authority to the Department of Public Safety, Division of Liquor Licensing and Compliance to ensure that bottles of wine received using a wine connoisseur permit comply with the bottle deposit law.

**House Amendment “A” to Committee Amendment “B” (H-1005)**, which was not adopted, proposed to establish a wine connoisseur permit. This permit would provide that a person may have up to 6 cases of wine per year shipped from a specialty wine permittee by way of a common carrier. The fee for a wine connoisseur permit would be \$50 per year. The holder of a wine connoisseur permit would be required to pay all applicable taxes and must retain records of wine shipments for 2 years. This amendment would also grant routine technical rule-making authority to the Department of Public Safety, Division of Liquor Licensing and Compliance to ensure that bottles of wine received using a wine connoisseur permit comply with the bottle deposit law. The amendment would also establish a specialty wine permit. The permit would provide that a person who ferments, ages and bottles that person's own wine may ship up to 50 cases of wine to qualified wine connoisseur permittees during a 12-month period. The annual fee for a specialty wine permit would be \$25. The amendment also proposed to grant routine technical rule-making authority to the bureau to ensure that specialty wine permittees sell and deliver the wine only to qualified wine connoisseur permittees and to include annual reporting guidelines in the rules.

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**House Amendment “B” to Committee Amendment “B” (H-1016)**, which was not adopted, proposed to replace the bill with a resolve. The resolve directs the Liquor Licensing and Tax Division within the Department of Public Safety to conduct a study and convene a meeting of interested stakeholders to review and study the laws of alcohol regulation, including the issues associated with out-of-state sales and direct distribution to consumers in the State. The study would require a report to the joint standing committee of the Legislature having jurisdiction over alcoholic beverage matters by January 30, 2007.

**House Amendment “C” to Committee Amendment “B” (H-1055)** proposed to replace the bill with a resolve. The resolve directs the Liquor Licensing and Tax Division within the Department of Public Safety to conduct a study and convene a meeting of interested stakeholders to review and study the laws of alcohol regulation, including the issues associated with out-of-state sales and direct distribution to consumers in the State. The study would require a report to the joint standing committee of the Legislature having jurisdiction over alcoholic beverage matters by January 30, 2007.

### *Enacted Law Summary*

Resolve 2005, chapter 206 directs the Liquor Licensing and Tax Division within the Department of Public Safety to conduct a study and convene a meeting of interested stakeholders to review and study the laws of alcohol regulation, including the issues associated with out-of-state sales and direct distribution to consumers in the State. The study requires a report to the joint standing committee of the Legislature having jurisdiction over alcoholic beverage matters by January 30, 2007.

**LD 1112**                      **RESOLUTION, Proposing an Amendment to the Constitution of**                      **ONTP**  
**Maine To Change the Legislative Term to 4 years**

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

LD 1112, a Resolution to amend the Constitution of Maine, proposed to change Legislators' terms to 4 years in time for the general election in 2006. Under this proposal, the Legislature would meet every year, but business in the 2nd year and 4th year would be restricted as it is presently in the 2nd year.

**LD 1145**                      **An Act To Allow Tournament Games for Charitable Purposes**                      **DIED ON**  
**ADJOURNMENT**

<u>Sponsor(s)</u>	<u>Committee Report</u>	<u>Amendments Adopted</u>
PATRICK BRYANT B	OTP-AM	H-550

LD 1145 proposed to authorize nonprofit organizations and federally recognized Indian tribes who are licensed to conduct high-stakes beano to conduct Texas hold 'em poker games in which a player must pay a \$100 fee to play, of which \$25 goes to the nonprofit organization or Indian tribe.

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**Committee Amendment “A” (H-550)** proposed to replace the bill and change the title. The amendment would have authorized the Chief of the State Police to issue tournament licenses to organizations eligible to conduct beano and games of chance. Seventy-five percent of the proceeds after the payment of prizes would have been required to go to a charity designated in the application submitted to the Chief of the State Police. An organization would have been limited to one license every 2 months. The maximum entry fee would have been \$100 and the maximum number of players is 100. The license fee would have been \$5 per tournament player.

LD 1145 was carried over on the Special Appropriations Table from the First Special Session of the 122<sup>nd</sup> Legislature by S.P. 640.

**LD 1596**

**An Act Regarding the Maine Clean Election Act**

**PUBLIC 542  
EMERGENCY**

Sponsor(s)  
GAGNON

Committee Report  
OTP-AM

Amendments Adopted  
S-521

LD 1596 proposed to provide for the creation of caucus campaign committees established to support the election of candidates and determine legislative leadership of the 2 major parties in the House of Representatives and the Senate. This bill would have prohibited a Maine Clean Election Act candidate from participating in political action committees, except that a Maine Clean Election Act candidate would have been permitted to solicit contributions for a caucus campaign committee.

**Committee Amendment “A” (S-521)** proposed to replace the bill and accomplish the following:

1. Provide for an increased penalty for not including information about who paid for a political communication with intent to mislead;
2. Provide that municipal candidates may dispose of surplus campaign funds by making a gift to the municipality as state candidates may dispose of surplus campaign funds by making a gift to the State;
3. Clarify that a candidate participating in the Maine Clean Election Act and all agents of the candidate may not use public funds for anything other than campaign-related purposes;
4. Require candidates to deposit Maine Clean Election Act funds into a bank account or other financial institution account;
5. Require Maine Clean Election Act candidates to keep vendor invoices and cancelled checks or other proof of payment to vendors for expenditures of \$50 or more;
6. Require that a participating candidate keep account statements for 2 years after the candidate's last election;
7. Authorize the Commission on Governmental Ethics and Election Practices to require the repayment of Maine Clean Election Act funds used by a campaign treasurer or consultant for other than campaign-related purposes; and

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8. Add an appropriations and allocations section to transfer money from All Other to Personal Services within the Maine Clean Election Fund to pay for a support staff position for 9 months during the 2006 election year devoted primarily to auditing Maine Clean Election Act candidates.

***Enacted law summary***

Public Law 2005, chapter 542 amends the laws governing the use of Maine Clean Election Act funds by participating candidates as follows:

1. It provides for an increased penalty for not including information in required reports about who paid for a political communication with intent to mislead;
2. It provides that municipal candidates may dispose of surplus campaign funds by making a gift to the municipality as state candidates may dispose of surplus campaign funds by making a gift to the State;
3. It clarifies that a candidate participating in the Maine Clean Election Act and all agents of the candidate may not use public funds for anything other than campaign-related purposes;
4. It requires candidates to deposit Maine Clean Election Act funds into a bank account or other financial institution account;
5. It requires Maine Clean Election Act candidates to keep vendor invoices and cancelled checks or other proof of payment to vendors for expenditures of \$50 or more;
6. It requires that a participating candidate keep account statements for 2 years after the candidate's last election;
7. It authorizes the Commission on Governmental Ethics and Election Practices to require the repayment of Maine Clean Election Act funds used by a campaign treasurer or consultant for other than campaign-related purposes; and
8. It provides for appropriations and allocations in order to transfer money from All Other to Personal Services within the Maine Clean Election Fund to pay for a support staff position for 9 months during the 2006 election year devoted primarily to auditing Maine Clean Election Act candidates.

Public Law 2005, chapter 542 was enacted as an emergency measure effective April 6, 2006.

**LD 1627**

**An Act To Allow Dual Liquor Licenses for On-premises  
Consumption and Off-premises Retail Sales**

**ONTP**

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

LD 1627 proposed to allow dual liquor licenses for on-premises consumption and off-premises retail sales for fine wine stores that also prepare and sell food for consumption on their premises.

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**Committee Amendment “A” (S-518)** proposed to replace the bill and was the minority report of the committee. It would have created a new license that allows a restaurant to have a license to sell wine for off-premises and on-premises consumption. The fee for this license would have been \$420. Premises eligible for this license would have been required to carry at least 125 labels of wine for retail sale and generate at least 50% of their annual gross income from the sale of wine for off-premises consumption and would have been limited to 2,500 square feet. The holder of this license would have been prohibited from having a financial interest in any other establishment licensed to sell alcoholic beverages for either off-premises or on-premises consumption. This amendment also proposed to require that people employed by the licensed premises to sell wine for either off-premises or on-premises consumption complete a seller-server education course.

**LD 1700                      An Act To Protect Military Families                      INDEF PP**

<u>Sponsor(s)</u> FISCHER		<u>Committee Report</u> OTP-AM		<u>Amendments Adopted</u> H-775
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LD 1700 proposed to provide a \$250,000 life insurance policy free to members of the Maine Army National Guard who go into combat zones.

**Committee Amendment “A” (H-775)** proposed to replace the bill. It would have required that the Commissioner of Defense, Veterans and Emergency Management reimburse members of the National Guard and Reserves assigned to a unit in Maine for the cost of monthly premiums paid to the Federal Government for supplemental life insurance. A member of the National Guard or Reserves assigned to a unit in Maine who serves in the theater of operations for Operation Enduring Freedom or Operation Iraqi Freedom during any month in the calendar year 2006 would have been eligible for reimbursement for each month deployed in that year regardless of the number of days served in that month.

Although LD 1700 was not enacted, the same provision proposed by Committee Amendment A was incorporated into the supplemental budget and enacted as Part W of Public Law 2006, chapter 519.

**LD 1727                      An Act To Extend the Lobbyist Reporting Requirements to                      DIED BETWEEN**  
**Executive Branch Lobbying Activities                      BODIES**

<u>Sponsor(s)</u> CANAVAN EDMONDS		<u>Committee Report</u> ONTP      MAJ OTP-AM    MIN		<u>Amendments Adopted</u>
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LD 1727 proposed to amend the definition of “lobbying” under the lobbyist disclosure laws to ensure that all the reporting and disclosure requirements currently in place for lobbyists apply to individuals who lobby any official in the executive branch of State Government in addition to officials in the legislative branch and the Governor.

The bill also proposed to include communications regarding agency rules or proposed rules.

**Committee Amendment “A” (H-923)** proposed to replace the bill and was the minority report. It would have amended the definition of “lobbying” to include communication with state agency commissioners, commissioners'

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designees and constitutional officers for the purpose of influencing any legislative action when reimbursement for expenditures or compensation is made for that communication.

This amendment provided that “lobbying” would not include time spent by any person providing information to or participating in a subcommittee, stakeholder group, task force or other work group regarding a legislative action by the appointment or at the request of the Governor, a Legislator or legislative committee, a constitutional officer, a state agency commissioner or the chair of a state board or commission as long as the person's regular employment does not otherwise include lobbying.

**LD 1748**

**An Act To Make Technical Changes to the Gambling Laws**

**PUBLIC 663**

<u>Sponsor(s)</u> GAGNON		<u>Committee Report</u> OTP-AM		<u>Amendments Adopted</u> S-488
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LD 1748 proposed to make the following changes to the laws concerning gambling.

1. It would authorize members of the Department of Public Safety, Gambling Control Board to receive a per diem compensation of \$35.
2. It would amend the definition of “gross slot machine income,” establishes a definition of “net slot machine income” and amends the terms consistently to be consistent throughout the law.
3. It would establish a fixed fee for reregistration of slot machines and provides that changes to the section of law governing registration fees and terms are routine technical rules as long as the fees established under that section do not exceed \$10,000.
4. It would establish the annual renewal fee of \$75,000 for a slot machine distributor license, and clarifies that certain application fees are annual fees.
5. It would specify that \$25,000 of the annual renewal fee for a slot machine operator must be deposited in a fund to be transferred to the municipality in which the slot machine is located.
6. It would provide that, notwithstanding the law governing abandoned property, a slot machine operator may not redeem credits earned on slot machines more than 365 days after issuance.
7. It would expand the definition of the crime of “unlawful gambling” to include gambling at slot machines by persons under 21 years of age, and requires that all income associated with a violation of unlawful gambling be forfeited to the State.
8. It would direct trained personnel of the Gambling Control Board to take fingerprints of persons seeking licensure under the Maine Revised Statutes, Title 8, chapter 31, and directs that such fingerprints be transmitted to the Department of Public Safety, State Bureau of Identification.

**Committee Amendment “A” (S-488)** proposed to clarify the definition of net slot machine income. It provided that the initial registration fee for employees of slot machine operators, slot machine distributors and gambling services vendors would be \$250 while the annual renewal fee would be \$25. It would clarify that a rule pertaining to fees for slot machines, slot machine distributors, slot machine operators, gambling services vendors

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and employees is a routine technical rule if the rule proposes a fee of less than \$10,000. The amendment would clarify a reference to unclaimed winnings, stating that they are retained by the slot machine operator and are not subject to the law governing unclaimed property. Finally, this amendment would provide that the Gambling Control Board receive per diem payment retroactive to August 1, 2004.

### *Enacted law summary*

Public Law 2005, chapter 663 clarifies the definition of net slot machine income. It provides that the initial registration fee for employees of slot machine operators, slot machine distributors and gambling services vendors is \$250 while the annual renewal fee is \$25. It clarifies that a rule pertaining to fees for slot machines, slot machine distributors, slot machine operators, gambling services vendors and employees is a routine technical rule if the rule proposes a fee of less than \$10,000. It also clarifies a reference to unclaimed winnings, stating that they are retained by the slot machine operator and are not subject to the law governing unclaimed property. Finally, chapter 663 provides that the Gambling Control Board receive per diem payment retroactive to August 1, 2004.

**LD 1820**

**An Act To Allow Small Businesses To Participate in Liquor Sales**

**PUBLIC 596**

<u>Sponsor(s)</u>	<u>Committee Report</u>	<u>Amendments Adopted</u>
MILLS J	OTP-AM MAJ ONTP MIN	H-821 S-560 GAGNON

LD 1820 proposed to allow the division within the Department of Public Safety designated by the Commissioner of Public Safety to enforce the law relating to the sale of liquor to license up to 4 agency liquor stores in a municipality with a population of 20,000 or less where a state liquor store has been closed. Current law allows 3 agency liquor stores in such a municipality.

**Committee Amendment “A” (H-821)** proposed to specify that when the licensing division within the Department of Public Safety considers issuing an agency liquor store license in a municipality eligible for 4 agency liquor store locations, for one of the 4 locations it would be required to give favorable consideration to applicants with retail space under 3,000 square feet, pedestrian access and the convenience of a downtown location.

**House Amendment “A” to Committee Amendment “A” (H-854)**, which was not adopted, proposed to apply the factors specified in Committee Amendment “A” that must be considered by the licensing division within the Department of Public Safety when considering issuing an agency liquor store license to, not just one of 4 locations, but any application for an agency liquor store.

**Senate Amendment “A” to Committee Amendment “A” (S-560)** proposed to remove the provision of the bill that permitted an increase in the number of agency liquor stores in a town with a population of less than 20,000. This amendment would require that when determining the feasibility of the location of an agency liquor store the licensing division within the Department of Public Safety shall consider as part of its investigation the absence of an existing agency store with less than 3,000 square feet of retail space in a downtown location. The licensing division would not be required to consider the availability of parking spaces for the issuance of a license for such stores.

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### Enacted law summary

Public Law 2005, chapter 596 provides that when considering issuing a license for an agency liquor store, the licensing division of Department of Public Safety shall consider the absence of an existing agency store in a downtown location with less than 3,000 square feet of retail space. This law also provides that the licensing division is not required to consider the availability of parking spaces when issuing a license to a store with under 3,000 feet of retail space in a downtown location.

**LD 1822**                      **An Act To Require the Commission on Governmental Ethics and Election Practices To Produce a Register of All Registered Lobbyists**                      **PUBLIC 613**

<u>Sponsor(s)</u>	<u>Committee Report</u>	<u>Amendments Adopted</u>
CANAVAN	ONTP      MAJ OTP-AM    MIN	H-822 S-622 PLOWMAN

LD 1822 was a concept draft pursuant to Joint Rule 208. This bill proposed to establish a register for all lobbyists, based on Wisconsin law that maintains records of individuals, who they work for and what organizations they represent; what legislation they are interested in; and how they voted on certain legislation.

**Committee Amendment “A” (H-822)** proposed to replace the bill, which was a concept draft. It was the minority report of the committee. The amendment proposed to make changes to the lobbyist disclosure laws and also requires a lobbyist disclosure website.

It would amend the definition of “lobbying” to include communicating with the Governor or an official in the legislative branch with regard to an issue or topic that is not the subject of legislative action when the purpose of that communication is to influence the position of the Governor, a Legislator or an official in the legislative branch. It would require that upon termination of employment of a lobbyist, the employer and the lobbyist would be responsible for completing and submitting any outstanding reports. It would require quarterly reporting as opposed to monthly reporting required by current law and strikes the annual reporting and monthly non-session reporting requirements. The amendment would strike a provision that exempts a lobbyist from the penalty for failure to file if the lobbyist failed to file during a special session when no lobbying was performed. It would require that within 10 days of commencing lobbying activity, the lobbyist notify the Commission on Governmental Ethics and Election Practices of the legislative action, issue or topic that is subject to lobbying activity, including the position on the topic.

It also proposed to add the following to what is currently required by lobbying activity reports:

1. Lobbying activity on a particular issue relative to a part of a budget bill;
2. A reasonable estimate of the number of hours spent lobbying on each legislative action, issue, topic or other matter reported;
3. The position stated by the lobbyist on behalf of the employer, whether it be in favor, opposed, partially in favor or opposed or neither for nor against, or whether the issue is just being monitored by the lobbyist; and

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4. That if \$1,000 or more was spent on actions regarding a budget bill or topic not the subject of legislative action, that activity must be reported.

The amendment would have required the commission to create a publicly accessible website that would include:

1. A list of all persons who employed a lobbyist for the year;
2. A list of all lobbyists and lobbyist associates registered for the year;
3. A profile of lobbyists, including contact information, names of those employing the lobbyists and, if provided, photographs;
4. A profile of employers of lobbyists, including contact information and a list of the lobbyists they employ; and
5. For each employer, a listing of legislative actions, issues and topics that were the subject of lobbying that year.

This amendment also proposed to provide that the commission may keep all of the lobbyist registration fees it collects to cover the cost of administering the expanded reporting requirements and the lobbyist registration website. Under current law half of those fees go to the General Fund.

**House Amendment “A” to Committee Amendment “A” (H-914)**, which was not adopted, proposed to:

1. Amend the definition of “lobbying” to include time spent in committee to monitor legislative actions;
2. Amend the definition of “lobbyist” by reducing the threshold of lobbying from 8 to 4 hours in a calendar month;
3. Strike the provision requiring an estimate of hours spent for each legislative action;
4. Change the number of days in which a lobbyist must notify the Commission on Governmental Ethics and Election Practices of lobbying activity from 10 days proposed in Committee Amendment “A” to 5 days; and
5. Provide that, for fiscal year 2006-07, all fees collected under the lobbying laws must go to the commission instead of 1/2 going to the General Fund.

**House Amendment “B” to Committee Amendment “A” (H-946)**, which was not adopted, proposed to:

1. Amend the definition of “lobbying” to include time spent in committee to monitor legislative actions;
2. Amend the definition of “lobbyist” by reducing the threshold of lobbying from 8 to 4 hours in a calendar month for those persons who are specifically employed to lobby by other than the person's employer;
3. Require each lobbyist and lobbyist associate, including state agency employees, to provide a recent photograph, and permits a lobbyist or lobbyist associate to provide professional biographical information;
4. Clarify those activities for which disclosure is required by removing inconsistent new language;
5. Strike the provision requiring an estimate of hours spent for each legislative action; and

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6. Provide that, for fiscal year 2006-07, 75% of all fees collected under the lobbying laws must go to the Commission on Governmental Ethics and Election Practices instead of 1/2 going to the General Fund.

**House Amendment “C” to Committee Amendment “A” (H-962)**, which was not adopted, proposed to:

1. Amend the definition of “lobbyist” by reducing the threshold of lobbying from 8 to 4 hours in a calendar month for those persons who are specifically employed to lobby by other than the person's employer;
2. Require each lobbyist and lobbyist associate, including state agency employees, to provide a recent photograph, and requires the Commission on Governmental Ethics and Election Practices to determine other information that a lobbyist or lobbyist associate may provide for inclusion in the registration docket and on the disclosure website;
3. Clarify those activities for which disclosure is required by removing inconsistent new language;
4. Strike the provision requiring an estimate of hours spent for each legislative action; and
5. Provide that, for fiscal year 2006-07, 75% of all fees collected under the lobbying laws must go to the Commission on Governmental Ethics and Election Practices instead of 1/2 going to the General Fund.

**House Amendment “D” to Committee Amendment “A” (H-1004)**, which was not adopted, proposed to remove the changes to the definition of “lobbying” as proposed in Committee Amendment “A” and remove references to “issue” as it pertains to lobbying.

This amendment also proposed to require each lobbyist and lobbyist associate, including state agency employees, to provide a recent photograph, and require the Commission on Governmental Ethics and Election Practices to determine other information that a lobbyist or lobbyist associate may provide for inclusion in the registration docket and on the disclosure website.

**House Amendment “E” to Committee Amendment “A” (H-1057)**, which was not adopted, proposed to eliminate the provision that dedicated all of the lobbyist registration fee revenue to the Commission on Governmental Ethics and Election Practices and provide for a one-time transfer from the General Fund to the Commission on Governmental Ethics and Election Practices Other Special Revenue Funds account.

**Senate Amendment “A” to Committee Amendment “A” (S-592)**, which was not adopted, proposed to remove the changes to the definition of “lobbying” as proposed in Committee Amendment “A” and remove references to “issue” as it pertains to lobbying.

**Senate Amendment “B” to Committee Amendment “A” (S-595)**, which was not adopted, proposed to require a state employee or a state agency employee who is registered with the commission as a lobbyist to comply with all other requirements that apply to lobbyists under the law regarding other lobbyists.

**Senate Amendment “C” to Committee Amendment “A” (S-603)**, which was not adopted, was modeled on New Hampshire law, that requires a registered lobbyist to wear a name tag when lobbying in the State House complex. This name tag would have required white lettering on a hunter orange background, be at least 1 1/2 inches high and 2 1/2 long and consist of the lobbyist's first and last name and the word “lobbyist” or the name of the organization represented in letters at least 1/4 inch high.

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**Senate Amendment “D” to Committee Amendment “A” (S-622)** proposed to strike all of Committee Amendment “A” except that part that dealt with the registration docket and disclosure website and changes in that section how often the docket needs to be updated from weekly to monthly and deletes the phrase “issues and topics” as it pertains to lobbying.

### *Enacted law summary*

Public Law, chapter 613 creates a docket of registered lobbyists and a website for the public display of lobbyist registration information. The docket includes the name of each registered lobbyist, the person employing the lobbyist and the nature of the employer’s business and a statement as to the compensation paid to the lobbyist. This docket must be updated monthly and must be indexed alphabetically by both the name of the lobbyist and the name of persons who employ lobbyists. This docket must be made available to the public during regular office hours of the Commission on Governmental Ethics and Election Practices. This law also directs the commission to establish a publicly accessible website that displays a list of lobbyists and their employers and a profile of each. For each employer of a lobbyist, the website must also list all of the legislative actions that were the subject of lobbying including links to the Legislature’s website that provides summaries of legislative documents.

**LD 1830**                      **An Act Regarding Promotional Materials and Mail-in Rebates for Spirits**                      **PUBLIC 503**

Sponsor(s)  
PATRICK  
MAYO

Committee Report  
OTP-AM

Amendments Adopted  
H-776

LD 1830 proposed to clarify the law regarding promotions in agency liquor stores to allow licensees to offer for sale any package or combination of packages of spirits or use marketing promotions for spirits that the State Liquor and Lottery Commission has approved for use in the State as long as they conform to the standards of the Federal Alcohol Administration Act.

**Committee Amendment “A” (H-776)** proposed to change the title and replace the bill. It would remove a reference to state liquor stores with regard to combination packages of spirits approved by the State Liquor and Lottery Commission for sale in the State. The amendment would also provide that promotional materials, including mail-in rebates, designed to encourage consumer purchase of spirits, upon approval by the commission, may be offered by those whose spirits are listed by the commission. The amendment would specify that mail-in rebates for spirits must be redeemed by the manufacturer and may not exceed the purchase price of the spirits product.

### *Enacted law summary*

Public Law 2005, chapter 503 clarifies the law regarding promotions in agency liquor stores. It provides that promotional materials, including mail-in rebates, designed to encourage consumer purchase of spirits, upon approval by the commission, may be offered for those spirits products that are listed by the commission. The law specifies that mail-in rebates for spirits must be redeemed by the manufacturer and may not exceed the purchase price of the spirits product. Finally, chapter 503 removes a reference to state liquor stores with regard to combination packages of spirits approved by the State Liquor and Lottery Commission for sale in the State.

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**LD 1838**                      **Resolve, Directing the Office of Substance Abuse To Study the Potential Use of Liquor License Fees and Liquor Taxes To Fund Efficient Delivery of Substance Abuse Treatment and Prevention Programs**                      **RESOLVE 142**

<u>Sponsor(s)</u> WEBSTER		<u>Committee Report</u> OTP-AM		<u>Amendments Adopted</u> H-789
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LD 1838 was a concept draft pursuant to Joint Rule 208. It proposed to create a progressive fee for certain liquor licensing based on the volume of sales.

**Committee Amendment “A” (H-789)** proposed to replace the bill with a resolve. The resolve would direct the Director of the Office of Substance Abuse within the Department of Health and Human Services to conduct a study examining potential sources of funding for the delivery of substance abuse prevention and treatment programs and to report the findings to the joint standing committees of the Legislature having jurisdiction over alcoholic beverage matters and substance abuse prevention and treatment program matters. The study would be required to include an examination of current funding of substance abuse prevention and treatment programs and their adequacy and the best practices for the delivery of such programs.

*Enacted law summary*

Resolve 2005, Chapter 142 requires the Director of the Office of Substance Abuse within the Department of Health and Human Services to conduct a study examining potential sources of funding for the delivery of substance abuse prevention and treatment programs and to report the findings to the joint standing committees of the Legislature having jurisdiction over alcoholic beverage matters and substance abuse prevention and treatment program matters. The study must include an examination of current funding of substance abuse prevention and treatment programs and their adequacy and the best practices for the delivery of such programs.

**LD 1883**                      **An Act To Clarify the Liquor Laws**                      **PUBLIC 539**

<u>Sponsor(s)</u> PATRICK		<u>Committee Report</u> OTP-AM		<u>Amendments Adopted</u> H-856
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LD 1883 proposed to clarify obsolete language pertaining to the Department of Administrative and Financial Services, Bureau of Alcoholic Beverages and Lottery Operations and the Department of Public Safety. It also would add a representative from the bureau to the Server Education Advisory Committee.

**Committee Amendment “A” (H-777)**, which was not adopted, adds language to the bill to clarify that the State Liquor and Lottery Commission establishes the prices of spirits sold in the State. It also would have removed a reference to state discount liquor stores that were authorized by a section of law that has since been repealed.

**Committee Amendment “B” (H-856)** proposed to amend the definition of “low-alcohol spirits product” to mean a product containing spirits that has an alcohol content of 6% or less by volume. Current law defines a low-alcohol spirits product as a product containing spirits that has an alcohol content of less than 6% by volume.

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The amendment also proposed to add language to the bill to clarify that the State Liquor and Lottery Commission establishes the prices of spirits sold in the State. It also would remove a reference to state discount liquor stores that were authorized by a section of law that has since been repealed.

### *Enacted law summary*

Public Law 2005, chapter 539 removes obsolete language from current law pertaining to the Department of Administrative and Financial Services, Bureau of Alcoholic Beverages and Lottery Operations and the Department of Public Safety and adds a representative from the bureau to the Server Education Advisory Committee. It also amends the definition of “low-alcohol spirits product” to mean a product containing spirits that has an alcohol content of 6% or less by volume. Current law defines a low-alcohol spirits product as a product containing spirits that has an alcohol content of less than 6% by volume. Chapter 539 clarifies that the State Liquor and Lottery Commission establishes the prices of spirits sold in the State and removes a reference to state discount liquor stores that were authorized by a section of law that has since been repealed.

**LD 1889**

**An Act To Amend the Election Laws**

**PUBLIC 568  
EMERGENCY**

Sponsor(s)  
FISHER

Committee Report  
OTP-AM

Amendments Adopted  
H-866  
H-888 GLYNN

LD 1889 proposed to restore the voter address confidentiality provisions and requirements for counting valid write-in votes that were eliminated during the First Regular Session of the 122nd Legislature. This bill would grant authority for the municipal clerk to conduct the duties of the registrar of voters and removes a redundant provision about the certification of the list of absentee voters. The bill would also prohibit a candidate from assisting voters who are unable to sign their own names with signing candidate petitions or Maine Clean Election Act forms. This bill would clarify that township voters may choose the most convenient municipality in which to register to vote only if the county commissioners have not provided for a voting place either in the township or in another municipality. This bill would remove an inconsistent provision for the retention of voter registration documents and make a technical change to the ballot retention period. This bill would also change certain requirements for reporting to the Secretary of State by qualified political parties and the municipal clerks. This bill would prohibit the unauthorized reproduction of unmarked official ballots. The bill would make changes to the zones in which political activities are restricted, both for Election Day and for absentee voting.

**Committee Amendment “A” (H-866)** proposed to add a mandate preamble to the bill and make a technical change.

**House Amendment “A” (H-888)** proposed to reduce from 250 feet to 100 feet the zone around a voting place, registrar's office or clerk's office on Election Day or for absentee voting in which political activities are restricted. This amendment would restore the zone to 250 feet.

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### Enacted law summary

Public Law 2005, chapter 568 restores the voter address confidentiality provisions and requirements for counting valid write-in votes that were eliminated during the First Regular Session of the 122nd Legislature. This law grants authority for the municipal clerk to conduct the duties of the registrar of voters and removes a redundant provision about the certification of the list of absentee voters. The law also prohibits a candidate from assisting voters who are unable to sign their own names with signing candidate petitions or Maine Clean Election Act forms. This law clarifies that township voters may choose the most convenient municipality in which to register to vote only if the county commissioners have not provided for a voting place either in the township or in another municipality. The law also removes an inconsistent provision for the retention of voter registration documents and makes a technical change to the ballot retention period provision. Chapter 568 changes certain requirements for reporting to the Secretary of State by qualified political parties and the municipal clerks and prohibits the unauthorized reproduction of unmarked official ballots.

Public Law 2005, chapter 568 was enacted as an emergency measure effective April 11, 2006.

### LD 1894                      **An Act To Allow Independent Wineries To Serve Wine at Trade Shows**                      **ONTP**

<u>Sponsor(s)</u>	<u>Committee Report</u>	<u>Amendments Adopted</u>
DUNN PERRY J	ONTP	

LD 1894 proposed to amend the laws governing Maine farm wineries. Farm wineries are limited in the amount of wine they may produce in a year – 50,000 gallons. Farm wineries are treated differently than larger wine manufacturers in that they may sell or deliver their product directly to retailers and on-premises licensees as opposed to going through a wholesaler. They may also offer complimentary samples of their wine at the winery unlike larger manufacturers. This bill proposed to permit the holder of a farm winery license to offer samples at trade shows. This bill would define a trade show as an event at which goods and services of a specific industry are exhibited including but not limited to a public wine-tasting at a licensed retail store or restaurant.

### LD 1899                      **An Act To Require the Display of POW-MIA Flags at Courthouses**                      **PUBLIC 658**

<u>Sponsor(s)</u>	<u>Committee Report</u>	<u>Amendments Adopted</u>
BOWLES WOODCOCK	OTP-AM	H-827 S-701 ROTUNDO

LD 1899 proposed to allow District Courts, Superior Courts and the Supreme Judicial Court to display the POW-MIA flag whenever the flag of the United States is flown.

**Committee Amendment “A” (H-827)** proposed to replace the bill. It would require courthouses owned by the State to display the prisoner of war - missing in action flag on Former Prisoner of War Recognition Day and 6 national holidays. It also would provide that a courthouse owned by the State may display the flag on any other day in addition to those required. It would also add an appropriations and allocations section.

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**Senate Amendment “A” to Committee Amendment “A” (S-701)** proposed to strike the appropriations and allocations section from the committee amendment.

### *Enacted law summary*

Public Law 2005, chapter 658 requires courthouses owned by the State to display the Prisoner of War – Missing in Action flag on Former Prisoner of War Recognition Day and 6 national holidays. It also provides that a courthouse owned by the State may display the flag on any other day in addition to those required.

**LD 1900**

**An Act To Allow the Importation of Wine**

**ONTP**

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

LD 1900 proposed to permit interstate and foreign suppliers to ship wine directly to Maine consumers.

**Committee Amendment “A” (H-976)** proposed to replace the bill and was the minority report of the committee. The amendment would create a direct shipper license that authorizes an in-state or out-of-state winery to ship wine directly to a person who is 21 years of age or older. It would require that shipments be conspicuously labeled as alcohol and be delivered by common carrier who must verify that the recipient is 21 years of age or older. That direct shipper would be required to pay all applicable sales and alcohol taxes and shall submit quarterly reports to the State Tax Assessor and the Department of Public Safety's division administering liquor licensing and taxation. The amendment proposed to provide that the holder of a direct shipper license must comply with the beverage container laws. The license fee for a direct shipper license proposed was \$100 with a \$50 annual renewal fee.

**LD 1916**

**An Act To Require That the Costs Associated with Enacting a Direct Initiative Appear on the Ballot**

**DIED ON  
ADJOURNMENT**

<u>Sponsor(s)</u>	<u>Committee Report</u>	<u>Amendments Adopted</u>
BOWLES COURTNEY	OTP-AM	H-797

LD 1916 proposed to require that the ballot on which citizen initiated legislation appears include a statement of the fiscal impact of the legislation on state revenues, appropriations and allocations, prepared by the Office of Fiscal and Program Review.

**Committee Amendment “A” (H-797)** proposed to clarify what is required in the fiscal statement that is to be included on the ballot with the direct initiative question.

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**LD 1929**

**An Act To Strengthen Maine's Craft Brewing Industry**

**ONTP**

<u>Sponsor(s)</u> EDMONDS		<u>Committee Report</u> ONTP		<u>Amendments Adopted</u>
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LD 1929 proposed to provide tax incentives to malt liquor brewers to encourage them to increase their employment in Maine and the amount of malt liquor produced in Maine and exported for sale outside of Maine.

Section 1 of this bill proposed to amend the provisions of the alcohol beverage laws governing manufacturers, stating that a person licensed by the bureau may contract with a brewery or small brewery to manufacture that person's malt liquor. Section 1 also proposed that the licensing criteria and fee would be established by routine technical rule.

Section 2 of this bill proposed to amend the premium tax provisions of Title 28-A and provide that a brewer who does manufacture beer in this state, exports it for sale out of state and pays excise tax is eligible for a tax credit of 17.5 cents per gallon. The tax credit would be applied to 90% of what is produced in the first year and would have decreased by 10% of what is produced for 9 subsequent years. An additional credit of 17.5 cents/gallon would be applied for each year if the brewer manufactured and exported 110% of what was produced the previous year. The bureau would be authorized to adopt routine technical rules to administer this tax credit provision.

Section 3 of this bill proposed to amend the tax code regarding employment tax paid by manufacturers of malt liquor. Section 3 proposed to allow a 50% credit against the withheld state taxes on an employers wages for each employee employed in the state above the number employed by the brewer in its base year (which would be 2005 or the first year in business whichever is later). The credit would expire January 1<sup>st</sup>, 2017. Section 3 would also authorize the Bureau of Revenue Services to adopt routine technical rules to administer the credit.

**LD 1993**

**An Act Regarding Testimony Presented to Joint Select and Joint Standing Committees of the Legislature by Persons Paid To Testify**

**PUBLIC 562**

<u>Sponsor(s)</u> FAIRCLOTH BARTLETT		<u>Committee Report</u> OTP-AM		<u>Amendments Adopted</u> H-904
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LD 1993 proposed to require that a person who testifies before a legislative committee must disclose a financial interest that may or does affect the person's testimony.

**Committee Amendment "A" (H-904)** proposed to replace the bill and change the title. It would require a lobbyist or lobbyist associate to disclose the name of the person or organization represented when testifying before a joint select or joint standing committee of the Legislature. It would also require the lobbyist or lobbyist associate to disclose whether the lobbyist or lobbyist associate or the person or organization represented is compensating a person who is testifying before a joint select or joint standing committee of the Legislature. The amendment would provide that alleged violations of this requirement may be reported to the Commission on Governmental Ethics and Election Practices in accordance with the Joint Rules of the Legislature.

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

### ***Enacted law summary***

Public Law 2005, chapter 562 requires a lobbyist or lobbyist associate to disclose the name of the person or organization represented when testifying before a joint select or joint standing committee of the Legislature. It also requires the lobbyist or lobbyist associate to disclose whether the lobbyist or lobbyist associate or the person or organization represented is compensating a person who is testifying before a joint select or joint standing committee of the Legislature. Chapter 562 provides that alleged violations of this requirement may be reported to the Commission on Governmental Ethics and Election Practices in accordance with the Joint Rules of the Legislature.

**LD 2013**

**Resolve, Regarding a Monument for Women Veterans of Maine**

**RESOLVE 215  
EMERGENCY**

Sponsor(s)  
MITCHELL  
CANAVAN

Committee Report  
OTP

Amendments Adopted

This resolve proposed to amend Resolve 2005, chapter 116 to extend the Commission to Arrange for a Monument Honoring Women Veterans of Maine until December 7, 2006

It would deallocate funds from the Department of Defense, Veterans and Emergency Management, Bureau of Maine Veterans' Services to be reallocated to the commission to pay for the meetings of the commission. The resolve includes an emergency preamble and emergency clause. It would also make the resolve retroactive to September 15, 2005.

### ***Enacted law summary***

Resolve 2005, chapter 215 amends Resolve 2005, chapter 116 to extend the Commission to Arrange for a Monument Honoring Women Veterans of Maine until December 7, 2006.

It deallocates funds from the Department of Defense, Veterans and Emergency Management, Bureau of Maine Veterans' Services to be reallocated to the commission to pay for the meetings of the commission. It also makes the resolve retroactive to September 15, 2005.

Resolve 2005, chapter 215 was finally passed as an emergency measure effective May 30, 2006.

*Joint Standing Committee on Legal and Veterans Affairs*

LD 2029

**An Act To Implement the Recommendations of the Commission  
To Study Alternative Voting Procedures, the Citizen Initiative  
Process and Minor Party Ballot Access**

**PUBLIC 575**

Sponsor(s)

Committee Report  
OTP-AM

Amendments Adopted  
S-526

LD 2029 proposed changes to current law as proposed in the final report of the Commission to Study Alternative Voting Procedures, the Citizen Initiative Process and Minor Party Ballot Access as created in Resolve 2005, chapter 127. This bill would require payment to a person for circulating a petition for a direct initiative to be itemized on required campaign finance reports. This bill would clarify that contributions and expenditures made for the purpose of supporting or opposing a citizen-initiated referendum during the signature gathering phase are required to be reported like other contributions and expenditures. This bill would also require a report from the Commission on Governmental Ethics and Election Practices regarding the reporting of campaign finances relative to direct initiative campaigns. It would require a report from the Secretary of State examining ways to improve the way the State provides information to voters about referenda that will appear on the ballot. This bill also proposed to direct the Secretary of State to work with the Commission on Governmental Ethics and Election Practices towards making information currently available about direct initiative efforts and campaigns for or against those direct initiatives or campaigns more accessible to the public by providing links on the Secretary of State's or commission's publicly accessible websites directing people to information posted on the other agency's website.

**Committee Amendment "A" (S-526)** proposed to add a section to the bill to require an applicant for a direct initiative or people's veto to provide a copy of the laws and rules governing the circulation of petitions for a direct initiative or people's veto to each person who will be circulating petitions.

***Enacted law summary***

Public Law 2005, chapter 575 includes changes to current law as proposed in the final report of the Commission to Study Alternative Voting Procedures, the Citizen Initiative Process and Minor Party Ballot Access as created in Resolve 2005, chapter 127. It requires payment made to a person for circulating a petition for a direct initiative to be itemized on required campaign finance reports. This law clarifies that contributions and expenditures made for the purpose of supporting or opposing a citizen-initiated referendum during the signature gathering phase are required to be reported like other contributions and expenditures. It also requires a report from the Commission on Governmental Ethics and Election Practices regarding the reporting of campaign finances relative to direct initiative campaigns. It also requires a report from the Secretary of State examining ways to improve the way the State provides information to voters about referenda that will appear on the ballot. Chapter 575 directs the Secretary of State to work with the Commission on Governmental Ethics and Election Practices towards making information currently available about direct initiative efforts and campaigns for or against those direct initiatives or campaigns more accessible to the public by providing links on the Secretary of State's or commission's publicly accessible websites directing people to information posted on the other agency's website.

Finally, chapter 575 requires an applicant for a direct initiative or people's veto to provide a copy of the laws and rules governing the circulation of petitions for a direct initiative or people's veto to each person who will be circulating petitions.

*Joint Standing Committee on Legal and Veterans Affairs*

LD 2033

**RESOLUTION, Proposing an Amendment to the Constitution of  
Maine To Clarify Deadlines for Submitting Direct Initiatives to  
Municipal Officials for Signature Verification**

CON RES 2

<u>Sponsor(s)</u>	<u>Committee Report</u>	<u>Amendments Adopted</u>
	OTP-AM MAJ	H-895 PATRICK
	ONTP MIN	S-513
		S-544 PLOWMAN

This resolution proposes to amend the Constitution of Maine to specify that signatures on a citizen's petition for direct initiative of legislation that are submitted to municipal officials for signature certification after the deadline established in the Constitution are invalid. This resolution also eliminates language specifically invalidating signatures that are older than one year.

**Committee Amendment “A” (S-513)** replaced the bill and propose to amend the Constitution of Maine to specify that signatures on a citizens' petition for direct initiative or people's veto of legislation must be submitted to municipal or state officials by the deadline established in the Constitution in order to be certified. This resolution would also require that a petition for a direct initiative must be filed with the Secretary of State no later than 18 months after the Secretary of State approves the form of the petition.

**House Amendment “A” to Committee Amendment “A” (H-895)** proposed to clarify that the establishment of an 18-month period in which a direct initiative petition may be circulated is in conjunction with when it is due to the Secretary of State's office.

**Senate Amendment “A” to Committee Amendment “A” (S-544)** proposed to amend Committee Amendment “A” by maintaining the provision in the Constitution of Maine requiring the officials to return certified petitions to circulators.

***Enacted law summary***

Constitutional Resolution 2005, chapter 2 proposes to amend the Constitution of Maine to specify that signatures on a citizens’ petition for direct initiative or people’s veto of legislation must be submitted to municipal or state officials by the deadline established in the Constitution in order to be certified. This resolution also requires that a petition for a direct initiative must be filed with the Secretary of State no later than 18 months after the Secretary of State approves the form of the petition.

*Joint Standing Committee on Legal and Veterans Affairs*

**LD 2067**                      **Resolve, Regarding Legislative Review of Portions of Chapter 520: Rules Regarding Publication of Public Comments on Statewide Referenda, a Major Substantive Rule of the Department of the Secretary of State, Bureau of Corporations, Elections and Commissions**                      **RESOLVE 180 EMERGENCY**

<u>Sponsor(s)</u>	<u>Committee Report</u>	<u>Amendments Adopted</u>
	OTP-AM	H-905

LD 2067 proposed to provide for legislative review of portions of Chapter 520: Rules Regarding Publication of Public Comments on Statewide Referenda, a major substantive rule of the Department of the Secretary of State, Bureau of Corporations, Elections and Commissions.

**Committee Amendment “A” (H-905)** proposed to direct the Secretary of State to amend the provisionally adopted major substantive rule regarding publication of public comments on statewide referenda in the following ways:

1. With regard to the payment required for publication, the language must be changed so that cash is not included as a method of acceptable payment. Language must be changed to require that comments are due by 5:00 p.m. on the day prescribed in the provisionally adopted rule; and
2. With regard to the rejection of comments submitted to be included in the Citizen’s Guide, the language must be changed to provide a timeline by which the Secretary of State reviews the comments and then notifies the person that submitted the comments so that the submitter may correct the comments and resubmit them. This timeline must be similar to the one provided in Chapter 520, section 3.

***Enacted law summary***

Resolve 2005, chapter 180 directs the Secretary of State to amend the provisionally adopted major substantive rule regarding publication of public comments on statewide referenda in the following ways:

1. With regard to the payment required for publication, the language must be changed so that cash is not included as a method of acceptable payment. Language must be changed to require that comments are due by 5:00 p.m. on the day prescribed in the provisionally adopted rule; and
2. With regard to the rejection of comments submitted to be included in the Citizen’s Guide, the language must be changed to provide a timeline by which the Secretary of State reviews the comments and then notifies the person that submitted the comments so that the submitter may correct the comments and resubmit them. This timeline must be similar to the one provided in Chapter 520, section 3.

Resolve 2005, chapter 180 was finally passed as an emergency measure effective April 11, 2006.