

# MAINE STATE LEGISLATURE

The following document is provided by the  
**LAW AND LEGISLATIVE DIGITAL LIBRARY**  
at the Maine State Law and Legislative Reference Library  
<http://legislature.maine.gov/lawlib>



Reproduced from electronic originals  
(may include minor formatting differences from printed original)

*State Of Maine  
122nd Legislature*

*First Regular Session and  
First Special Session*

*Bill Summaries*

*Joint Standing Committee  
on  
Legal and Veterans' Affairs*

*August 2005*

**Staff:**

*Danielle D. Fox, Legislative Analyst  
Curtis Bentley, Legislative Analyst*

*Office of Policy and Legal Analysis  
13 State House Station  
Augusta, ME 04333  
(207) 287-1670*

**Members:**

*Sen. Kenneth T. Gagnon, Chair  
Sen. Elizabeth H. Mitchell  
Sen. Debra D. Plowman*

*Rep. John L. Patrick, Chair  
Rep. John L. Tuttle, Jr.  
Rep. Charles D. Fisher  
Rep. Patricia A. Blanchette  
Rep. Linda M. Valentino  
Rep. Randy E. Hotham  
Rep. Richard B. Brown  
Rep. Gary W. Moore  
Rep. David N. Ott  
Rep. Wright H. Pinkham, Sr.  
Rep. Frederick J. Moore, III*



Maine State Legislature

OFFICE OF POLICY & LEGAL ANALYSIS

13 State House Station, Room 215 Cross State Office Building
Augusta, Maine 04333-0013
Telephone: (207) 287-1670
Fax: (207) 287-1275

122nd Legislature
First Regular Session and First Special Session

Summary of Legislation Considered by the Joint Standing Committees
August 2005

Enclosed please find a summary of all bills, resolves, joint study orders, joint resolutions and Constitutional resolutions that were considered by the joint standing select committees of the Maine Legislature this past session. The document is a compilation of bill summaries which describe each bill and relevant amendments, as well as the final action taken. Also included are statistical summaries of bill activity this session for the Legislature and each of its joint standing committees.

The document is organized for convenient reference to information on bills considered by the committees. It is organized by committees and within committees by bill (LD) number. The committee report(s), prime sponsor for each bill and the lead co-sponsor(s), if designated, are listed below each bill title. All adopted amendments are listed by paper number. A subject index for each committee is included immediately before the bill summaries for that committee, and a numerical index by LD number is included at the back of the document. A separate publication, History and Final Disposition of Legislative Documents, may also be helpful in providing information on the disposition of bills. These bill summaries also are available at the Law and Legislative Reference Library and on the Internet (www.state.me.us/legis/opla).

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 ..... Bill Carried Over to Second Regular Session
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
ONTP..... Ought Not To Pass report accepted
OTP ND..... Committee report Ought To Pass In New Draft
OTP ND/NT..... Committee report Ought To Pass In New Draft/New Title
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

Please note the effective date for all non-emergency legislation enacted in the First Regular Session (unless otherwise specified in a particular law) is June 29, 2005; and for non-emergency legislation enacted in the First Special Session is September 17, 2005.

## Joint Standing Committee on Legal and Veterans' Affairs

leadership allowance would be prohibited from exceeding \$250 and could not come from corporations, political action committees or lobbyists. As proposed by this bill, funds in a leadership allowance could not be used in campaigns for legislative seats. The leadership allowance would be available to both regular and Maine Clean Election Act candidates.

**LD 829**                      **Resolve, To Raise a Monument for Women Veterans of Maine**                      **RESOLVE 116**

<u>Sponsor(s)</u>	<u>Committee Report</u>	<u>Amendments Adopted</u>
JENNINGS	OTP-AM	H-353

LD 829 proposed to direct the Capitol Planning Commission to raise and maintain a monument to women veterans of the State. It also proposed to allow the commission to accept gifts and private contributions to assist in achieving this goal.

**Committee Amendment "A" (H-353)** proposed to replace the bill and establish an 8-member commission to arrange for a monument to honor the women veterans of Maine. It would require the commission to submit its initial report for review by the Capitol Planning Commission by January 2, 2006 and a final report by March 1, 2006.

### *Enacted law summary*

Resolve 2005, chapter 116 establishes an 8-member commission to arrange for a monument to honor the women veterans of Maine. It requires the commission to submit its initial report for review by the Capitol Planning Commission by January 2, 2006 and a final report by March 1, 2006.

**LD 855**                      **An Act To Limit In-kind Contributions to Maine Clean Election Act Candidates**                      **ONTP**

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

Current law prohibits candidates participating in the Maine Clean Election Act from receiving contributions as a term of participation. LD 855 proposed to consider discounts on campaign materials to be contributions if the cost of the materials is less than 75% of the expected market cost. Under this bill, expected market cost would be determined by the Commission on Governmental Ethics and Election Practices using an annually updated index of prices based on data from campaign finance reports.

**Committee Amendment "A" (H-312)** proposed to replace the bill. Under this amendment, if a candidate purchases campaign materials at a cost that is less than fair market value, the difference between the price paid and the fair market value is considered a contribution to the candidate. Fair market value would be determined using an index created by the Commission on Governmental Ethics and Election Practices.