

MAINE STATE LEGISLATURE

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STATE OF MAINE
115TH LEGISLATURE

SECOND REGULAR SESSION

BILL SUMMARIES
JOINT STANDING COMMITTEE
ON
LEGAL AFFAIRS

MAY 1992

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**ONE HUNDRED AND FIFTEENTH LEGISLATURE
SECOND REGULAR SESSION**

**JOINT STANDING COMMITTEE
BILL SUMMARIES**

MAY 1992

This document is a compilation of the bill summaries prepared by this office for the Joint Standing Committees and Joint Select Committees of the Maine Legislature. The volume is organized alphabetically by committee; within each committee, the summaries are arranged by LD number. A subject index is provided at the beginning of each committee's summaries.

All adopted amendments are listed, by paper number (e.g., H-584 or S-222), together with the sponsor for floor amendments. Final action on each bill is listed to the far right of the title. Various types of final action are abbreviated as follows:

PUBLIC XXX	Chapter # of enacted Public Law
P&S XXX	Chapter # of enacted Private & Special Law
RESOLVE XXX	Chapter # of enacted Resolve
CON RES XXX	Chapter # of Constitutional Resolution passed by both Houses
EMERGENCY	Enacted law takes effect sooner than 90 days
CARRIED OVER	Bill carried over to Special Session
ONTP	Ought Not to Pass report accepted
LVWD	Leave to Withdraw report accepted
INDEF PP	Bill Indefinitely Postponed
FAILED EMERGENCY ENACTMENT	Emergency bill failed to get 2/3 vote
DIED BETWEEN BODIES	House and Senate disagree; bill died
CONF CMTE UNABLE TO AGREE	Committee of Conference formed but unable to agree
VETO SUSTAINED	Legislature filed to override Governor's Veto
UNSIGNED	Not signed by Governor within 10 days
DIED ON ADJOURNMENT	Action incomplete when session ended; bill died

These summaries were prepared by the analyst or analysts assigned to the committee. But, this document was produced by the efforts of all the office staff, including secretaries: Charlene Raymond and Valarie Parlin, especially Laurette Knox who coordinated preparation of the overall document.

If you have any suggestions or comments on these summaries, please let us know.

LD 2346 An Act to Restore Control and Stability to the Bureau of Alcoholic Beverages

INDEF PP

SPONSOR(S)	COMMITTEE REPORT	AMENDMENTS ADOPTED
PLOURDE	OTP-AM MAJ	H-1120 MAJ REP
TAMMARO	ONTP MIN	
STEVENS A		
MILLS		

SUMMARY

The bill would have lowered the number of state liquor stores required to be closed in this fiscal year from 16 to 8. The bill would have also repealed statutory authority to merge the Bureau of Alcoholic Beverages and the Bureau of the Lottery.

Committee Amendment "A" (H-1120) would have replaced the bill. It would have repealed all authority to close state liquor stores and deleted provisions of the bill requiring the State Liquor Commission to submit a report on the operation of the state and agency liquor store system and repealing authority to merge the Bureau of Alcoholic Beverages and the Bureau of the Lottery.

LD 2356 An Act to Strengthen the Campaign Finance Reporting Laws

PUBLIC 839
EMERGENCY

SPONSOR(S)	COMMITTEE REPORT	AMENDMENTS ADOPTED
MAYO	OTP-AM	H-1131
GWADOSKY		H-1141 MAYO
LAWRENCE		S-717 CAHILL P

SUMMARY

The bill makes several changes in the laws governing campaign finance reporting, including changes that:

1. Require each candidate to appoint a treasurer for the candidate's campaign and make the treasurer responsible for filing campaign finance reports;
2. Require persons who accept contributions or make expenditures for a candidate to report contributions or expenditures to the campaign treasurer;
3. Require candidates to file campaign termination reports showing deficits or surpluses to be carried over to the next campaign;
4. Permit a candidate to dispose of surplus campaign funds by paying for any expense incurred in the proper performance of the office to which the candidate is elected;
5. Require party committees that receive or spend more than \$1,500 in one calendar year to file reports with the Commission;
6. Exempt certain campaign items, such as balloons, combs and matchbooks, from the requirement that all items include a disclaimer of who authorized and who paid for the items;
7. Clarify when corporations, subsidiaries and units of corporations are considered the same entity with respect to campaign contributions;
8. Require the reporting of contributions aggregating \$1,000 or more from any one contributor or any single expenditure of \$1,000 or more that are made 11 days or less before an election;

9. Require a political action committee organized to oppose a question to report expenditures from the time that the question is completed by the Secretary of State and declared satisfactory for distribution for signatures;
10. Require new candidates or nominees chosen to fill a vacancy to file finance reports; and
11. Provide that political action committees organized outside the State that make contributions or expenditures in the aggregate of \$50 or more on any one or more campaigns for the office of Governor, for a state or county office or for the support or defeat of a question are subject to the registration and reporting requirements governing political action committees in Maine.

Committee Amendment "A" (H-1131) removes bumper stickers and lawn signs from the list of communications that are exempt from the disclosure requirement, and clarifies that the corporate reporting requirements apply to for-profit and non-profit corporations, such as incorporated labor unions. The amendment also clarifies that candidates must either file a report indicating that they will carry forward any campaign surpluses to the next campaign or dispose of them by one of the methods provided in law. The amendment locates the party committee reporting requirement in a more appropriate place in the statutes, specifies that the changes regarding treasurers of campaigns are not effective until January 1, 1993, and makes the remainder of the changes in the bill effective immediately.

House Amendment "A" (H-1141) specifies the method of finance reporting for political action committees organized outside Maine. These committees must file copies of the reports that they file in the states in which they are organized or based, on the same schedule required by the states in which these committees are organized.

Senate Amendment "E" to Committee Amendment "A" (S-717) specifies a 4th category of persons and organizations that would be included in the definition of "political action committee" under the campaign finance reporting laws. This 4th category includes persons and organizations that solicit money and use all or part of that money to make contributions to influence campaigns and referendums, regardless of whether the organization formally organizes as a political action committee or solicits funds exclusively for political activity. The organization would not be considered a political action committee if it spends less than \$1,500 in a calendar year on campaigns and referenda. The amendment also requires all political action committees to report operational expenses.

The amendment requires candidates, political committees and political action committees to report receipt of contributions of in-kind printed materials to be used in support of a candidate or in the support or defeat of a cause, and to report as an expenditure any use or distribution of in-kind printed materials donated to that candidate, political committee or political action committee. The amendment requires that these printed materials disclose the name of the candidate, political committee or political action committee as the authorizing agent.

Finally, the amendment makes certain of the changes in the bill effective retroactively to cover activity in the 1992 election year and corrects the application and effective date sections to reflect changes in the section numbering in the bill.

LD 2365 An Act Relating to Gambling

**PUBLIC 796
EMERGENCY**

SPONSOR(S)
LAWRENCE

COMMITTEE REPORT
OTP-AM

AMENDMENTS ADOPTED
H-1056
S-620 MILLS

SUMMARY

LD 2365 repeals statutory language authorizing the State Lottery Director to enter into an agreement for