

MAINE STATE LEGISLATURE

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STATE OF MAINE
116TH LEGISLATURE

FIRST REGULAR SESSION

BILL SUMMARIES
JOINT STANDING COMMITTEE
ON
LEGAL AFFAIRS

JULY 1993

Staff:
Marion Hylan Barr, Legislative Analyst

*Office of Policy and Legal Analysis
Room 101, State House Station 13
Augusta, ME 04333
(207)287-1670*

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CARRIE C. McFADDEN, RESEARCHER

STATE OF MAINE
OFFICE OF POLICY AND LEGAL ANALYSIS
ROOM 101/107/135
STATE HOUSE STATION 13
AUGUSTA, MAINE 04333
TEL: (207) 287-1670
FAX (207) 287-1275

**ONE HUNDRED AND SIXTEENTH LEGISLATURE
FIRST REGULAR SESSION**

**JOINT STANDING COMMITTEE
BILL SUMMARIES**

JULY 1993

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.

The committee report or reports, the prime sponsor for each bill and the lead co-sponsor in each house if one has been designated are listed below each bill title. 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 right of the title. Various types of final action are abbreviated as follows:

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

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.

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

4693NRG

LD 1506 An Act to Amend the Laws Governing Municipal Elections

CARRIED OVER

SPONSOR(S)
SIMONDS

COMMITTEE REPORT

AMENDMENTS ADOPTED

SUMMARY

This bill would make the following changes to municipal election law.

1. The bill would change the deadline for filing nomination papers for municipal office from 35 to 45 days before an election to allow more time for producing ballots.
2. The bill would require a candidate who wishes to withdraw from an election to notify the municipal clerk within 45 days of the election. The clerk would have to ensure that ballots were prepared to reflect the candidate's withdrawal.
3. The bill would eliminate the requirement that absentee ballots be marked as such, making local election law identical with state election law in this regard.
4. The bill would allow municipalities to reduce the size of their ballots so that they could use standard size paper.

LD 1523 Resolve, Regarding the Release of Certain Ballots to the Municipal Officers of the City of Rockland

RESOLVE 31
EMERGENCY

SPONSOR(S)
MELENDY

COMMITTEE REPORT
OTP-AM

AMENDMENTS ADOPTED
H-448

SUMMARY

This resolve authorizes the Secretary of State to release certain used and unused ballots to the municipal officers of the City of Rockland. The ballots will be used to perform tests on the optical scan reader used to count ballots at the November 1992 election.

Committee Amendment "A" (H-448) adds a fiscal note to the bill.

LD 1549 An Act to Set Voluntary Limits for Campaign Spending

INDEF PP

SPONSOR(S)

COMMITTEE REPORT

AMENDMENTS ADOPTED

H-666 DAGGETT
S-329 CAREY
S-332 HALL

SUMMARY

This bill was reported out unanimously by the Joint Standing Committee on Legal Affairs pursuant to a joint order.

This bill would have established voluntary limits on campaign spending for statewide elections, United States House elections, State House of Representatives and Senate elections and countywide elections.

The bill would have required all candidates to file with their registration and notification of a political committee a written statement of intent to abide by the voluntary expenditure limits or not to abide by the voluntary expenditure limits.

If a state or county candidate did not agree to the voluntary limits, that candidate could accept no more than \$100 from each contributor or single source. If any candidate did agree to the voluntary limits and exceeded the amount set by law, that candidate would have to pay 100% of the amount that exceeded the limit to the Commission on Governmental Ethics and Election Practices.

This bill also would have provided a fiscal note.

House Amendment "A" (H-664) would have changed the filing date to April 11th in the election year, which is 10 days after the April 1st deadline for candidates in a primary election.

House Amendment "B" (H-706) would have eliminated the General Fund Appropriation and would have required that the Commission on Governmental Ethics and Election Practices implement the bill's provisions within existing budgeted resources.

Senate Amendment "A" (S-282) would have eliminated contribution limitations of \$100 per source for state and county candidates who do not voluntarily limit political expenditures. The amendment also would have eliminated the penalties for candidates who agreed to voluntarily limit campaign expenditures and exceeded the limits and would have replaced the fiscal note.

Senate Amendment "A" to Senate Amendment "A" (S-312) would have made the same changes as House Amendment "A".

Senate Amendment "B" to Senate Amendment "A" (S-313) would have clarified Senate Amendment "A" to Senate Amendment "A".

Senate Amendment "B" (S-315) would have made the same changes as House Amendment "B".

Senate Amendment "C" (S-321) would have eliminated the contribution limitations of \$100 per source for state and county candidates who do not voluntarily limit political expenditures.

Senate Amendment "D" (S-329) would have eliminated any reference to candidates for federal and county office; increased the expenditures permitted for campaigns for Governor; eliminated the restriction on contributions placed on candidates who refuse to agree to voluntary expenditure limits; required the Commission on Governmental Ethics and Election Practices to prepare lists of candidates and identify whether those candidates had agreed to accept the voluntary expenditure limits; required the commission to prepare lists of those candidate whose campaign expenditures exceed the voluntary limits, whether or not the candidate had agreed to the voluntary limits; required every political advertisement to state whether th candidate had agreed to accept the voluntary limits; added an application clause to specify that candidates who have already appointed a political committee must specify whether they accept the voluntary limits within 10 days of the effective date of the bill.

Senate Amendment "E" (S-332) would have made the same changes as House Amendment "A".

Senate Amendment "F" (S-339) would have made the same changes as House Amendment "B".

House Amendment "A" to Senate Amendment "D" (H-666) would have removed language from the amendment that waived the penalty for exceeding voluntary spending limits under certain circumstances.