

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

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**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:

PUBLIC XXX

P&S XXX

RESOLVE XXX

CON RES XXX

EMERGENCY

CARRIED OVER

ONTP

ENACTMENT FAILED

INDEF PP

FAILED EMERGENCY ENACTMENT

FAILED MANDATE ENACTMENT

DIED BETWEEN BODIES

CONF CMTE UNABLE TO AGREE

VETO SUSTAINED

UNSIGNED

DIED ON ADJOURNMENT

Chapter # of enacted Public Law

Chapter # of enacted Private & Special Law

Chapter # of enacted Resolve

Chapter # of Constitutional Resolution passed by both Houses

Enacted law takes effect sooner than 90 days

Bill carried over to Second Session

Ought Not to Pass report accepted

Bill failed to get majority vote

Bill Indefinitely Postponed

Emergency bill failed to get 2/3 vote

Bill imposing local mandate failed to get 2/3 vote

House & Senate disagree; bill died

Committee of Conference formed but unable to agree

Legislature failed to override Governor's Veto

Not signed by Governor within 10 days

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.

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

4693NRG

SPONSOR(S)**COMMITTEE REPORT****AMENDMENTS ADOPTED**

H-654 MARSH

H-658 LARRIVEE

SUMMARY

This bill was the majority report and was reported out pursuant to joint order. See also LD 1551.

This bill would have prohibited a person who is a state official or state employee from using public funds, public facilities, public equipment or public personnel for campaign activity unless the use was otherwise authorized by law or was incidental to another activity required or authorized by law. However, nothing would have prevented a person who was a state official or state employee from donating that person's own time, funds or services to a campaign activity if the donation of time or services were not made during that person's working hours or upon the property or premises of the State or by using the facilities or services of the State.

The bill would have further limited campaign contributions by limiting aggregate contributions from individuals, corporations, associations and committees, except party committees, political action committees and candidates' authorized committees, to the following amounts per election: five hundred dollars to a candidate for Governor; \$300 to a candidate for the State Senate; and \$200 to a candidate for the State House of Representatives. Individuals, corporations, associations and committees, except party committees, political action committees and candidates' authorized committees, could make contributions to candidates aggregating no more than \$15,000 per calendar year.

The bill would have limited aggregate contributions from party committees to \$5,000 per candidate per election.

The bill would have limited aggregate contributions from political action committees to the following amounts per election: \$2,000 to a candidate for Governor; \$1,000 to a candidate for the State Senate; and \$500 to a candidate for the State House of Representatives. Political action committees would have been able to make contributions to candidates aggregating no more than \$30,000 per calendar year.

The bill would have specified that a candidate who received an anonymous contribution greater than \$20 must immediately remit the contribution to the Commission on Governmental Ethics and Election Practices.

The bill would have prohibited a candidate or a candidate's political committee from accepting contributions of more than \$100 from another candidate or another candidate's political committee.

The bill would have prohibited a candidate, a candidate's political committee, a State Senator, a State Representative, the Governor or a political committee of a State Senator, a State Representative or the Governor from soliciting or receiving contributions or promises of contributions from lobbyists during the legislative session.

The bill would have specified that except for independent expenditures reported pursuant to the Maine Revised Statutes, Title 21-A, section 1019, no expenditure could be made or obligation incurred by a candidate or by any other individual or committee to advocate the election or defeat of a candidate, except by the campaign treasurer of the candidate or other agent of the candidate who is acting with the candidate's authority.

The bill would have defined "earmarked contributions" and established reporting requirements for earmarked contributions. A civil penalty of no more than \$20,000 would have been imposed for a person who violated the requirements.

The bill would have specified that an independent expenditure of \$250 or more made after the 20th day before any election must be reported to the commission within 24 hours after the independent expenditure was made. A civil penalty of no more than \$20,000 could be imposed for a person who violated the reporting requirements.

The bill also included a fiscal note and was the majority report.

House Amendment "A" (H-613) would have changed the aggregate contribution limits made by individuals, corporations, associations and committees, except party committees, political action committees and candidates' authorized committees to a candidate for State Senator or Governor to \$200 per election. The amendment also would have provided that a political action committee make contributions aggregating no more than \$500 per candidate per election to a candidate for State Senate, State House of Representatives or Governor.

House Amendment "B" (H-564) would have prohibited contributions to candidates for state office by constitutional officers, State Auditor or candidates for those offices.

House Amendment "C" (H-658) would have clarified that a state official or employee may use public facilities for campaign activities if that public facility were routinely used by nongovernmental organizations. The amendment also would have deleted the provision requiring a candidate who receives an anonymous contribution greater than \$20 to return it

Senate Amendment "A" (S-284) would have increased the aggregate contributions that candidates could accept.

Senate Amendment "B" (S-327) would have eliminated the General Fund appropriation and required the Commission on Governmental Ethics and Election Practices to implement the bill's provisions within existing budgeted resources.

LD 1551 An Act to Reduce the Influence of Money in Elective Politics

**DIED BETWEEN
BODIES**

SPONSOR(S)

COMMITTEE REPORT

AMENDMENTS ADOPTED

SUMMARY

This bill was the minority report and was reported out pursuant to joint order. See also LD 1550.

This bill would have prohibited a person who is a state official or state employee from using public funds, public facilities, public equipment or public personnel for campaign activity unless the use was otherwise authorized by law or was incidental to another activity required or authorized by law. However, nothing would have prevented a person who is a state official or state employee from donating that person's own time, funds or services to a campaign activity if the donation of time or services were not made during that person's working hours or upon the property or premises of the State or by using the facilities or services of the State.

The bill would have further limited campaign contributions by limiting aggregate contributions from individuals, corporations, associations and committees, except party committees and candidates' authorized committees, to the following amounts per election: \$500 to a candidate for Governor; \$300 to a candidate for the State Senate; and \$200 to a candidate for the State House of Representatives. Individuals, corporations, associations and committees, except party committees and candidates' authorized committees, could make contributions to candidates aggregating no more than \$15,000 per calendar year.