

MAINE STATE LEGISLATURE

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**STATE OF MAINE
119TH LEGISLATURE**

SECOND REGULAR SESSION

**BILL SUMMARIES
JOINT STANDING COMMITTEE
ON
LEGAL AND VETERANS' AFFAIRS**

JULY 2000

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ONE HUNDRED NINETEENTH LEGISLATURE
SECOND REGULAR SESSION

Summary Of Legislation Before The Joint Standing Committees
July 2000

We are pleased to provide this summary of bills that were considered by the Joint Standing and 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 and select 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. Two indices, a subject index and a numerical index by LD number are provided for easy reference to bills. They are located 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:

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 Second Regular Session (unless otherwise specified in a particular law) is August 11, 2000.

David E. Boulter, Director
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LD 2648

An Act to Enter Into the International Emergency Management Assistance Compact

**PUBLIC 696
EMERGENCY**

<u>Sponsor(s)</u>	<u>Committee Report</u>	<u>Amendments Adopted</u>
DAGGETT TUTTLE	OTP-AM	S-631

LD 2648 proposed that the State adopt the International Emergency Management Assistance Compact. As proposed, this compact would provide a framework for mutual assistance between the New England states and the eastern provinces of Canada that adopt the compact in managing emergencies or disasters.

Committee Amendment "A" (S-631) proposed to add a fiscal note to the bill.

Enacted law summary

Public Law 1999, chapter 696 adopts the International Emergency Management Assistance Compact. The compact provides a framework for mutual assistance between the New England states and the eastern provinces of Canada that adopt the compact in managing emergencies or disasters.

Public Law 1999, chapter 696 was enacted as an emergency measure effective April 13, 2000.

LD 2663

An Act Relating to Reporting Requirements for Political Action Committees on the Flexibility of the Commission on Governmental Ethics and Election Practices to Assess Penalties

PUBLIC 729

<u>Sponsor(s)</u>	<u>Committee Report</u>	<u>Amendments Adopted</u>
	OTP-AM	S-666

LD 2663 proposed to make changes to the laws governing the filing of campaign finance laws by providing the Commission on Governmental Ethics and Election Practices with more flexibility to accept campaign finance reporting forms late without penalty when the reason is a valid emergency. The bill also proposed to make changes to the laws governing PACs in response to the ruling in Volle v. Webster, which stated that the \$50 threshold that defines someone as a PAC is too low considering the strict reporting requirements for PACs. The bill proposed to raise that threshold to \$1,500 and differentiate between PACs and individuals who solicit contributions and make expenditures for the purpose of influencing the outcome of a ballot question. The amendment also proposed to strike references to the \$1,000 limits on contributions to political candidates that were reduced with passage of the Maine Clean Election Act.

Committee Amendment "A" (S-666) proposed to make changes to the bill regarding the laws governing PACs in response to the ruling in Volle v. Webster. The amendment proposed to maintain the filing threshold at \$1,500 for persons whose major purpose is to solicit contributions and make expenditures for the purpose of influencing a ballot question. The amendment proposed to change the amount at which a person who is not defined as a PAC must itemize contributions and expenditures from \$1,500 to \$500. Any contribution or expenditure that is in excess of \$100 would have to be itemized under this amendment. The amendment also proposed to clarify that creation of or changes to the campaign finance reporting form must be done by rule. Such rules would be considered major substantive rules.

The amendment also proposed to add a fiscal note to the bill.

Enacted law summary

Public Law 1999, chapter 729 makes changes to the laws governing the filing of campaign finance forms by providing the Commission on Governmental Ethics and Election Practices with more flexibility to accept campaign finance reports late without penalty if the reason is a valid emergency. It also requires that any changes to the campaign finance reporting form be adopted by rule. These rules are considered major substantive rules.

In response to Volle v. Webster, this law changes the threshold at which persons or organizations that are considered Political Action Committees (PACs) must file an itemized report. Under this law, that amount is changed from \$50 to \$1500. Public Law 1999, chapter 729 also requires persons or organizations that are not considered PACs and solicit and receive contributions or make expenditures, other than by contribution to a political action committee, for the purpose of initiating, promoting, defeating or in any way influencing the outcome of a ballot question aggregating in excess of \$1500 to file a report with the Commission on Governmental Ethics and Election Practices. This report is less detailed than those required of PACs.

This law also provides that candidates who have filed a declaration of intent to become certified under the Maine Clean Election Act are not required to file whether or not they accept the voluntary limits on political expenditures. Candidates who do not intend to be certified under the Maine Clean Election Act are required to file this form stating whether or not they agree to limits on political expenditures.