

# MAINE STATE LEGISLATURE

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*State Of Maine  
120th Legislature*

*First Regular Session*

*Bill Summaries*

*Joint Standing Committee  
on  
Legal and Veterans' Affairs*

*August 2001*

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**120th Legislature**  
**First Regular Session**

**Summary Of Legislation Before The Joint Standing Committees**  
**August 2001**

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. 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](http://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 **September 21, 2001**.

*David E. Boulter, Director*  
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## Joint Standing Committee on Legal and Veterans' Affairs

**LD 447**                      **Resolve, Authorizing Sharon Huff and Raymond Huff to Sue the State**                      **ONTP**

<u>Sponsor(s)</u>	<u>Committee Report</u>	<u>Amendments Adopted</u>
O'NEIL	ONTP      MAJ OTP-AM    MIN	

LD 447 proposed to authorize Sharon Huff and Raymond Huff, individually and on behalf of their minor daughter, Kristina Huff, to bring a civil action against the State for damages resulting from the alleged negligence of the Department of Human Services concerning the placement of Richard J. Huff in their household. The resolve would have allowed the State to be sued up to a maximum of \$400,000.

**Committee Amendment "A" (H-296)** was the minority report of the committee and would have added a fiscal note to the resolve. Committee Amendment "A" was not adopted.

**LD 454**                      **An Act to Clean Up Maine's Clean Election Law**                      **ONTP**

<u>Sponsor(s)</u>	<u>Committee Report</u>	<u>Amendments Adopted</u>
LONGLEY	ONTP	

LD 454 proposed to amend the laws governing campaign practices by defining "issue advocacy" and stating that expenditures made by individuals or political committees that are used for communications that expressly advocate the election or defeat of a clearly identified candidate are contributions to the campaign of the candidate that the communication is intended to benefit. Expenditures for such contributions would be prohibited without the authorization of the candidate that the communication is intended to benefit. Under this bill, communications that would be considered issue advocacy could not be distributed without first notifying the candidate mentioned in the communication at least 48 hours in advance. This bill also proposed to amend the Maine Clean Election Act by increasing the amount of qualifying contributions from \$5 to \$10, extending the time frame in which a candidate could collect and spend seed money and prohibiting participating candidates from soliciting contributions or making expenditures for a political action committee.

**LD 460**                      **An Act to Promote Fairness and Equity in Liquor Prices**                      **ONTP**

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

LD 460 proposed to remove the requirement that agency liquor stores must sell spirits to on-premises licensees for the same price that a state liquor store would charge. Under this bill, the agency liquor store could sell spirits to on-premises licensees for the same price it charges retail customers.

## Joint Standing Committee on Legal and Veterans' Affairs

**Committee Amendment "A" (S-168)** proposed to replace the original bill. It proposed to require an agent to sell spirits and fortified wine for at least 104% of the price a state store would charge for that product. It also proposed to require an agent to sell its products to on-premise licensees and retail customers for the same price. Under this amendment, the agent would be required to file monthly reports with the Bureau of Liquor Enforcement indicating the price at which it is selling delivered spirits and fortified wine to all licensees and intermittent reports indicating any price changes made by the agent. This amendment would have also added a fiscal note to the bill.

**LD 501**                      **An Act to Reform Certain Features of the Clean Election Law**                      **ONTP**

<u>Sponsor(s)</u> MILLS		<u>Committee Report</u> ONTP		<u>Amendments Adopted</u>
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LD 501 proposed to amend the elections laws in the following ways:

1. Amend the definition of "independent expenditure" to include any public communication made within 60 days prior to an election that casts a candidate, identified by name, in a favorable or unfavorable light.
2. Increase the amount of the qualifying contribution that could be made under the Maine Clean Election Act from \$5 to \$10.
3. Change the date after which a candidate for the Legislature could begin to collect qualifying contributions under the Maine Clean Election Act from January 1st of the election year to December 15th of the year immediately preceding the election year.

**LD 520**                      **An Act Concerning Small Breweries That Are Licensed to Serve  
Liquor on Premises**                      **ONTP**

<u>Sponsor(s)</u> COWGER DAGGETT		<u>Committee Report</u> ONTP		<u>Amendments Adopted</u>
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LD 520 proposed to amend the law governing a licensee who is licensed to operate a small brewery and is licensed to sell liquor for on-premises consumption. This bill proposed to change current law by permitting patrons of the establishment licensed to sell liquor for on-premises consumption to receive tours of the brewery from the licensee or the licensee's employees and sample the brewery product as provided by current law. Under this bill, as proposed, liquor could not be sold to patrons while on a tour of the brewery.