

MAINE STATE LEGISLATURE

The following document is provided by the
LAW AND LEGISLATIVE DIGITAL LIBRARY
at the Maine State Law and Legislative Reference Library
<http://legislature.maine.gov/lawlib>



Reproduced from electronic originals
(may include minor formatting differences from printed original)

*State Of Maine
120th Legislature*

First Regular Session

Bill Summaries

*Joint Standing Committee
on
Legal and Veterans' Affairs*

August 2001

Staff:

*Danielle D. Fox, Legislative Analyst
Colleen McCarthy Reid, Legislative Analyst*

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

Members:

*Sen. Neria R. Douglass, Chair
Sen. Chandler E. Woodcock
Sen. Lynn Bromley*

*Rep. John L. Tuttle, Jr., Chair
Rep. Nancy L. Chizmar
Rep. Lillian LaFontaine O'Brien
Rep. Stephen C. Estes
Rep. William R. Cote
Rep. John L. Patrick
Rep. Janice E. Labrecque
Rep. Arthur F. Mayo, III
Rep. Theodore H. Heidrich
Rep. Richard H. Duncan*



Maine State Legislature
OFFICE OF POLICY AND LEGAL ANALYSIS

13 State House Station, Augusta, Maine 04333-0013
 Telephone: (207) 287-1670
 Fax: (207) 287-1275

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).

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
 Offices Located in the State House, Rooms 101/107/135

Joint Standing Committee on Legal and Veterans' Affairs

LD 1307 **An Act to Amend the Lobbyist Disclosure Procedures Laws Administered by the Commission on Governmental Ethics and Election Practices** **ONTP**

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

LD 1307 proposed to amend the definition of "lobbying" and define the term "pecuniary benefit." The bill proposed to clarify what names should be included on registration forms. The bill also would have specified that the specific dollar amount of compensation received for the time spent to make a presentation should be included in monthly reports. The bill proposed to prohibit a lobbyist from giving, offering or promising a contribution to the Governor, a member of the Legislature or a constitutional officer while the Legislature is in session.

LD 1321 **An Act to Change the Status of the Discount State Liquor Store in Calais** **INDEF PP**

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

LD 1321 proposed to remove the discount store status from the state liquor store located in Calais.

LD 1323 **An Act to Shorten the Period in which the Bureau of Liquor Enforcement Acts on Appeals** **ONTP**

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

LD 1323 proposed to require the Department of Public Safety, Bureau of Liquor Enforcement to hold a hearing on an appeal of a liquor license denial by a municipality within 60 days of the filing of the appeal.

LD 1337 **An Act to Hold Petition Circulators to the Same Standards as Political Candidates** **DIED IN CONCURRENCE**

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

LD 1337 proposed to prohibit the circulator of a direct initiative petition from presenting any such petition and requesting voter signatures in the voting place or within 250 feet of the entrance to the voting place.

Joint Standing Committee on Legal and Veterans' Affairs

Committee Amendment "A" (H-642), which was not adopted, proposed to change the bill title and proposed to prohibit the collection of direct initiative petition signatures within 50 feet of a voting place if approved by the voters via a referendum to be on the ballot in November 2002.

LD 1340 **An Act to Hold an Advisory Referendum on Term Limits** **CARRIED OVER**

<u>Sponsor(s)</u>	<u>Committee Report</u>	<u>Amendments Adopted</u>
TUTTLE DOUGLASS		

LD 1340, which was carried over to the Second Regular Session, proposed to direct the Secretary of State to hold an advisory referendum at a statewide election to determine whether the voters of the State favor amending or repealing the existing state law limiting the terms of Legislators.

LD 1350 **An Act to Amend the Laws Governed by the Commission on** **PUBLIC 430**
Governmental Ethics and Election Practices

<u>Sponsor(s)</u>	<u>Committee Report</u>	<u>Amendments Adopted</u>
	OTP-AM	H-602

LD 1350 proposed to amend the provisions governing reports by political action committees by:

1. Indicating when changes to a registration form must be reported to the Commission on Governmental Ethics and Election Practices;
2. Changing the penalty from \$100 to \$200 for violation of the attribution requirements for political action committees;
3. Enacting requirements for the appointment of treasurer and record keeping by the treasurer;
4. Setting up guidelines for the dissolution of a political action committee; and
5. Authorizing the Commission on Governmental Ethics and Election Practices to assess a penalty equal to 3 times the amount of an unlawful contribution for violation of the Maine Revised Statutes, Title 21-A, chapter 13, subchapter IV.

Committee Amendment "A" (H-602) replaced the original bill and made several technical changes to the laws governed by the Commission on Governmental Ethics and Election Practices by deleting obsolete language and outdated references and correcting cross-references. It removed as one of the duties of the commission that it make findings of fact and opinion on the final determination of the results of commission investigations of violations of the campaign finance reporting laws. It specified that alimony payments and recorded campaign