

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
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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:

<i>CARRIED OVER</i>	<i>Bill Carried Over to Second Regular Session</i>
<i>CON RES XXX</i>	<i>Chapter # of Constitutional Resolution passed by both Houses</i>
<i>CONF CMTE UNABLE TO AGREE</i>	<i>Committee of Conference unable to agree; bill died</i>
<i>DIED BETWEEN BODIES</i>	<i>House & Senate disagree; bill died</i>
<i>DIED IN CONCURRENCE</i>	<i>One body accepts ONTP report; the other indefinitely postpones the bill</i>
<i>DIED ON ADJOURNMENT</i>	<i>Action incomplete when session ended; bill died</i>
<i>EMERGENCY</i>	<i>Enacted law takes effect sooner than 90 days</i>
<i>FAILED EMERGENCY ENACTMENT/FINAL PASSAGE</i>	<i>Emergency bill failed to get 2/3 vote</i>
<i>FAILED ENACTMENT/FINAL PASSAGE</i>	<i>Bill failed to get majority vote</i>
<i>FAILED MANDATE ENACTMENT</i>	<i>Bill imposing local mandate failed to get 2/3 vote</i>
<i>NOT PROPERLY BEFORE THE BODY</i>	<i>Ruled out of order by the presiding officers; bill died</i>
<i>INDEF PP</i>	<i>Bill Indefinitely Postponed</i>
<i>ONTP</i>	<i>Ought Not To Pass report accepted</i>
<i>OTP ND</i>	<i>Committee report Ought To Pass In New Draft</i>
<i>OTP ND/NT</i>	<i>Committee report Ought To Pass In New Draft/New Title</i>
<i>P&S XXX</i>	<i>Chapter # of enacted Private & Special Law</i>
<i>PUBLIC XXX</i>	<i>Chapter # of enacted Public Law</i>
<i>RESOLVE XXX</i>	<i>Chapter # of finally passed Resolve</i>
<i>UNSIGNED</i>	<i>Bill held by Governor</i>
<i>VETO SUSTAINED</i>	<i>Legislature failed to override Governor's Veto</i>

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

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

Joint Standing Committee on Legal and Veterans' Affairs

contributions are not considered income for the purposes of reporting. It also specified that the annual report required of lobbyists must include a separate listing of legislative actions for the past calendar year.

Enacted law summary

Public Law 2001, chapter 430 makes several technical changes to the laws governed by the Commission on Governmental Ethics and Election Practices, deleting obsolete language and outdated references and correcting cross-references. It removes 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 specifies that alimony payments and recorded campaign contributions are not considered income for the purposes of reporting. It also specifies that the annual report required of lobbyists must include a separate listing of legislative actions for the past calendar year. Public Law 2001, chapter 430 amends the law regarding the publication and distribution of statements by political action committees to be consistent with Yes for Life Political Action Committee v. Webster.

LD 1351 **An Act to Amend Provisions Governing Reports on Campaigns for Office in the 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 1351 proposed to amend the provisions governing reports on campaigns for office in the laws administered by the Commission on Governmental Ethics and Election Practices. The bill also proposed to define personal expenses. The bill would have clarified that contributions made by a husband and wife are separate contributions. The bill also proposed to set a limit of \$10 as an anonymous contribution that a candidate may accept. The bill would have prohibited the use of campaign contributions for personal expenses. The bill also proposed to provide that if the state party committee does not notify all county, district and municipal committees of reporting dates, it must pay 1/2 of the penalty for not reporting.

LD 1352 **Resolve, Authorizing the Adjutant General to File a Finalized Declaration of Covenants and Restrictions with the Kennebec County Registry of Deeds in the Veterans' Memorial Cemetery Located on the Mount Vernon Road in Augusta** **RESOLVE 24**

<u>Sponsor(s)</u>	<u>Committee Report</u>	<u>Amendments Adopted</u>
DOUGLASS BROOKS	OTP-AM	S-131

LD 1352, a resolve, proposed to authorize the Adjutant General to convey interest in land that was conveyed to the State to the Department of Environmental Protection for the Veterans' Memorial Cemetery.

Committee Amendment "A" (S-131) made technical changes to the resolve.