

# 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

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.

## Joint Standing Committee on Legal and Veterans' Affairs

### *Enacted law summary*

Resolve 2001, chapter 24 authorizes 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.

**LD 1369**

### **An Act to Amend the Laws Regarding Investigations by the Commission on Governmental Ethics and Election Practices**

**PUBLIC 237**

<u>Sponsor(s)</u>	<u>Committee Report</u>	<u>Amendments Adopted</u>
CANAVAN	OTP MAJ	
BROMLEY	ONTP MIN	

LD 1369 proposed to amend the laws governing investigations of campaign reports and finances by the Commission on Governmental Ethics and Election Practices to require the commission to keep confidential a request for an investigation filed within 10 business days prior to the election and that a request must be held confidential until the commission makes a final determination on the request.

### *Enacted law summary*

Public Law 2001, chapter 237 requires the Commission on Governmental Ethics and Election Practices to keep requests for investigations regarding campaign reports and finances confidential when filed within 10 days of an election. Such a request must be held confidential until the commission makes a final determination on the request.

**LD 1373**

### **An Act to Amend the Laws Governing Lobbyists and 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>
CANAVAN	ONTP	

LD 1373 proposed to remove old language and would have removed language that states that the Commission on Governmental Ethics and Election Practices has the responsibility to investigate and make findings on contested elections. This bill also proposed to provide that funds from the Maine Clean Election Fund and other sources that could benefit from the commission's acquisition and use of an electronic data collection and disclosure system be used to provide for enhanced monitoring and enforcement of election practices and to support instituting electronic submission of reports. The definition of "income" would have been amended by this bill to exclude alimony and legally reported campaign contributions. The definition of "lobbying" would also have been amended to include the time spent waiting to meet with the Governor, a Legislator or a legislative committee on behalf of the lobbyist's employer, and the lobbyist would have been required to report this time to the Commission on Governmental Ethics and Election Practices. Finally, the bill proposed to prohibit a lobbyist from offering a contribution to the Governor, a Legislator, a constitutional officer or their staff during any time the Legislature is convened.