

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 1808

An Act Regarding the Laws Governing the Department of Defense, Veterans and Emergency Management and the Commission to Recognize Veterans of the Vietnam War in the State House Hall of Flags

PUBLIC 353

<u>Sponsor(s)</u> TUTTLE	<u>Committee Report</u> OTP	<u>Amendments Adopted</u> S-215 DOUGLASS
-----------------------------	--------------------------------	---

LD 1808 was the result of 2001 Joint Order, H.P. 1340 and was emergency legislation that proposed to extend the final reporting date for the commission to recognize veterans of the Vietnam War in the State House Hall of Flags. The sections of the bill regarding the commission would apply retroactively to November 1, 2000. The bill also proposed to make changes to the laws governing the Department of Defense, Veterans and Emergency Management by authorizing the sale of the Caribou Armory and requiring the Governor to make an oral declaration of an emergency and specifying that a written declaration must be filed with the Secretary of State within 24 hours of the oral declaration.

Senate Amendment "A" (S-215) struck the emergency preamble and the emergency clause and added a fiscal note to the bill.

Enacted law summary

Public Law 2001, chapter 353 extends the final reporting date for the commission to recognize veterans of the Vietnam War in the State House Hall of Flags. The law also authorizes the Department of Defense, Veterans and Emergency Management to sell the armory located in Caribou and permits the Governor to declare an emergency orally provided that a written declaration is filed with the Secretary of State within 24 hours of the declaration.

LD 1809

An Act Concerning the Penalties for Late Filing of Accelerated Campaign Reporting Under the Maine Clean Election Act

**PUBLIC 470
EMERGENCY**

<u>Sponsor(s)</u> TUTTLE	<u>Committee Report</u> OTP-AM	<u>Amendments Adopted</u> H-718 S-363 DOUGLASS S-370 WOODCOCK
-----------------------------	-----------------------------------	--

LD 1809 proposed to amend the laws governing penalties for failure to file accelerated campaign finance reports. Current law requires the imposition of a penalty that may result in an amount disproportionate to the gravity of the lateness in filing. This bill proposed to establish a maximum penalty of \$5,000 for such a violation, and amends the law to allow the Commission on Governmental Ethics and Election Practices to consider when assessing a penalty factors such as the existence of a valid emergency, an error by commission staff and evidence of a bona fide effort to file.

Committee Amendment "A" (H-718) replaced the bill. It amends current law to specify that the Governor shall make nominations to the Commission on Governmental Ethics and Election Practices public upon nomination. It