

MAINE STATE LEGISLATURE

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*State Of Maine
121st Legislature*

First Regular Session

Bill Summaries

*Joint Standing Committee
on
Legal and Veterans' Affairs*

July 2003

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Maine State Legislature



Office Of Policy And Legal Analysis Office Of Fiscal And Program Review

121st Maine Legislature First Regular Session

Summary Of Legislation Before The Joint Standing Committees

Enclosed please find a summary of all bills, resolves, joint study orders, joint resolutions and Constitutional resolutions that were considered by the joint standing and joint 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 arranged alphabetically by committee name 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 PURSUANT TO HP 1212</i>	<i>Bills carried over to the 2nd 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>P&S XXX</i>	<i>Chapter # of enacted Private & Special Law</i>
<i>PASSED</i>	<i>Joint Order passed in both bodies</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 that the effective date for all non-emergency legislation enacted in the First Regular Session (unless otherwise specified in a particular law) is September 13, 2003.

David C. Elliott, Director
Offices located in Room 215 of the Cross Office Building

Joint Standing Committee on Legal and Veterans' Affairs

LD 1310

An Act To Improve the Clean Election Option for Gubernatorial Candidates

PUBLIC 453

<u>Sponsor(s)</u>	<u>Committee Report</u>	<u>Amendments Adopted</u>
CUMMINGS DAGGETT	OTP-AM	H-450

LD 1310 proposed to amend the Maine Clean Election Act by providing that, for a gubernatorial participating candidate, the qualifying period begins June 1st, instead of November 1st. It would increase the number of qualifying contributions to become a Maine Clean Election Act gubernatorial candidate required from 2,500 to 3,500. This bill would specify that for gubernatorial primary elections, the amount of revenues distributed is the average amount of campaign expenditures made by candidates who received more than 5% of the vote based on the preceding 4 primary elections. Finally, this bill would specify that for gubernatorial general elections, the amount of revenues distributed is the average amount of campaign expenditures made by candidates who received more than 5% of the vote based on the preceding 4 general elections.

Committee Amendment "A" (H-450) proposed to replace the original bill and proposed to substitute the current funding formula for gubernatorial candidates that run under the Maine Clean Election Act with flat funding. Under this amendment, gubernatorial candidates would receive initial distributions of \$200,000 for primary elections and \$400,000 for general elections.

Enacted Law Summary

Public Law 2003, chapter 453 replaces the current funding formula for gubernatorial candidates that run under the Maine Clean Election Act with flat funding. Under this law, gubernatorial candidates receive initial distributions of \$200,000 for primary elections and \$400,000 for general elections.

LD 1336

An Act to Strengthen the Governmental Ethics Laws

PUBLIC 268

<u>Sponsor(s)</u>	<u>Committee Report</u>	<u>Amendments Adopted</u>
CANAVAN GAGNON	OTP-AM MAJ ONTP MIN	H-267

LD 1336 proposed to require a Legislator to disclose the identity of all organizations in which the Legislator or a member of the Legislator's immediate family is affiliated through ownership or service and to require a Legislator to disclose ownership of real property in the State. The bill proposed to prohibit a Legislator from bypassing the bidding process when entering into a contract with a governmental agency or department. The bill also proposed to establish a civil penalty of \$10 for late or incomplete filings required by the Commission on Governmental Ethics and Election Practices.

Committee Amendment "A" (H-267), the majority report, proposed to replace the bill. The amendment proposed to prohibit a Legislator or an organization in which a Legislator or Legislator's spouse is associated through ownership or service from contracting with a state governmental agency outside the competitive bidding process. The law proposed to require a Legislator to disclose any bid made by the Legislator or associated organization on a contract with a state governmental agency. The amendment also proposed to establish a civil penalty of \$10 per day for late or incomplete filings required by the Commission on Governmental Ethics and Election Practices. The amendment proposed to add a fiscal note.

Joint Standing Committee on Legal and Veterans' Affairs

Enacted Law Summary

Public Law 2003, chapter 268 prohibits a Legislator or an organization in which a Legislator or Legislator's spouse is associated through ownership or service from contracting with a state governmental agency outside the competitive bidding process. The law requires a Legislator to disclose any bid made by the Legislator or associated organization on a contract with a state governmental agency. The law also establishes a civil penalty of \$10 per day for late or incomplete filings required by the Commission on Governmental Ethics and Election Practices.

LD 1339 **An Act To Amend the Laws Governing Campaign Finance** **CARRIED OVER**

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

LD 1339, which was carried over to the Second Regular Session, proposes to amend the campaign finance laws by requiring a political advertisement broadcast on television or radio to contain an image, if on television, and statement regarding the sponsorship of the ad spoken by the candidate, treasurer of the candidate's authorized political committee, candidate's party committee or their agents or, if sponsored by a political action committee, the chief decision maker or treasurer of that political action committee or, if sponsored by an individual without any connection to the candidate or political action committee, that individual. It also proposes to define a payment made to a 3rd party, not an employee of the candidate, candidate's political committee or party committee or political action committee, as an expenditure for the purposes of reporting and requiring expenditures made to that person to be itemized by the amount, reason and date of the expenditure. Finally, the bill proposes to require reports made by candidates, political action committees and independent expenditures regarding contributions to contain, in addition to the name of the contributor, the occupation and place of business of the contributor. This requirement already exists for party committees.

LD 1348 **An Act To Require Candidates Who Are Not Maine Clean Election Act Candidates To Report All Sources of Funding** **ONTP**

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

LD 1348 proposed to require more detailed campaign finance reporting for candidates running against Maine Clean Election Act candidates. The bill proposed to require that candidate provide detail on the sources of contributions and obligations and indicate the purpose for and recipient of expenditures. The bill also proposed to require that the contribution and expenditure reports due to be filed with the Commission on Governmental Ethics and Election Practices 2 weeks prior to an election be filed within 24 hours of the contribution or expenditure that triggers the report.