

MAINE STATE LEGISLATURE

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*State Of Maine
122nd Legislature*

Second Regular Session

Bill Summaries

*Joint Standing Committee
on
Legal and Veterans' Affairs*

July 2006

Members:

*Sen. Kenneth T. Gagnon, Chair
Sen. Elizabeth H. Mitchell
Sen. Debra D. Plowman*

*Rep. John L. Patrick, Chair
Rep. John L. Tuttle, Jr.
Rep. Charles D. Fisher
Rep. Linda M. Valentino
Rep. Randy E. Hotham
Rep. Richard B. Brown
Rep. Gary W. Moore*

*Rep. David N. Ott
Rep. Wright H. Pinkham, Sr.
Rep. Joan M. Nass
Rep. Frederick J. Moore, III*

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Maine State Legislature



Office of Policy and Legal Analysis Office of Fiscal and Program Review

122nd Maine Legislature Second 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 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/billsumm.htm).

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:

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
P&S XXX.....	Chapter # of enacted Private & Special Law
PASSED.....	Joint Order passed in both bodies
PUBLIC XXX.....	Chapter # of enacted Public Law
RESOLVE XXX.....	Chapter # of finally passed Resolve
UNSIGNED (Pocket Veto).....	Bill held by Governor
VETO SUSTAINED.....	Legislature failed to override Governor's Veto

Please note that the effective date for all non-emergency legislation enacted in the Second Regular Session (unless otherwise specified in a particular law) is August 23, 2006.

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Committee Amendment “A” (H-550) proposed to replace the bill and change the title. The amendment would have authorized the Chief of the State Police to issue tournament licenses to organizations eligible to conduct beano and games of chance. Seventy-five percent of the proceeds after the payment of prizes would have been required to go to a charity designated in the application submitted to the Chief of the State Police. An organization would have been limited to one license every 2 months. The maximum entry fee would have been \$100 and the maximum number of players is 100. The license fee would have been \$5 per tournament player.

LD 1145 was carried over on the Special Appropriations Table from the First Special Session of the 122nd Legislature by S.P. 640.

LD 1596

An Act Regarding the Maine Clean Election Act

**PUBLIC 542
EMERGENCY**

<u>Sponsor(s)</u> GAGNON		<u>Committee Report</u> OTP-AM		<u>Amendments Adopted</u> S-521
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LD 1596 proposed to provide for the creation of caucus campaign committees established to support the election of candidates and determine legislative leadership of the 2 major parties in the House of Representatives and the Senate. This bill would have prohibited a Maine Clean Election Act candidate from participating in political action committees, except that a Maine Clean Election Act candidate would have been permitted to solicit contributions for a caucus campaign committee.

Committee Amendment “A” (S-521) proposed to replace the bill and accomplish the following:

1. Provide for an increased penalty for not including information about who paid for a political communication with intent to mislead;
2. Provide that municipal candidates may dispose of surplus campaign funds by making a gift to the municipality as state candidates may dispose of surplus campaign funds by making a gift to the State;
3. Clarify that a candidate participating in the Maine Clean Election Act and all agents of the candidate may not use public funds for anything other than campaign-related purposes;
4. Require candidates to deposit Maine Clean Election Act funds into a bank account or other financial institution account;
5. Require Maine Clean Election Act candidates to keep vendor invoices and cancelled checks or other proof of payment to vendors for expenditures of \$50 or more;
6. Require that a participating candidate keep account statements for 2 years after the candidate's last election;
7. Authorize the Commission on Governmental Ethics and Election Practices to require the repayment of Maine Clean Election Act funds used by a campaign treasurer or consultant for other than campaign-related purposes; and

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8. Add an appropriations and allocations section to transfer money from All Other to Personal Services within the Maine Clean Election Fund to pay for a support staff position for 9 months during the 2006 election year devoted primarily to auditing Maine Clean Election Act candidates.

Enacted law summary

Public Law 2005, chapter 542 amends the laws governing the use of Maine Clean Election Act funds by participating candidates as follows:

1. It provides for an increased penalty for not including information in required reports about who paid for a political communication with intent to mislead;
2. It provides that municipal candidates may dispose of surplus campaign funds by making a gift to the municipality as state candidates may dispose of surplus campaign funds by making a gift to the State;
3. It clarifies that a candidate participating in the Maine Clean Election Act and all agents of the candidate may not use public funds for anything other than campaign-related purposes;
4. It requires candidates to deposit Maine Clean Election Act funds into a bank account or other financial institution account;
5. It requires Maine Clean Election Act candidates to keep vendor invoices and cancelled checks or other proof of payment to vendors for expenditures of \$50 or more;
6. It requires that a participating candidate keep account statements for 2 years after the candidate's last election;
7. It authorizes the Commission on Governmental Ethics and Election Practices to require the repayment of Maine Clean Election Act funds used by a campaign treasurer or consultant for other than campaign-related purposes; and
8. It provides for appropriations and allocations in order to transfer money from All Other to Personal Services within the Maine Clean Election Fund to pay for a support staff position for 9 months during the 2006 election year devoted primarily to auditing Maine Clean Election Act candidates.

Public Law 2005, chapter 542 was enacted as an emergency measure effective April 6, 2006.

LD 1627

**An Act To Allow Dual Liquor Licenses for On-premises
Consumption and Off-premises Retail Sales**

ONTP

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

LD 1627 proposed to allow dual liquor licenses for on-premises consumption and off-premises retail sales for fine wine stores that also prepare and sell food for consumption on their premises.