

## Joint Standing Committee on Legal and Veterans' Affairs

LD 151

An Act to Prohibit Mandatory Maine National Guard Membership

ONTP

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

LD 151 proposed to prohibit the State from requiring that membership in the Maine National Guard be a condition of obtaining or retaining any position of employment by the State.

LD 873

An Act to Clarify Responsibilities for the Maintenance of Veterans' Grave Sites

PUBLIC 700

<u>Sponsor(s)</u>	<u>Committee Report</u>	<u>Amendments Adopted</u>
LAWRENCE BERRY R	OTP-AM	H-995 COWGER S-581

LD 873 proposed to update and amend municipal responsibilities for veterans' grave sites, including:

1. Changing the term "soldier or sailor who served in the United States Army, Navy or Marine Corps in any war" to "veterans of the Armed Forces of the United States of America";
2. Changing the liability of the municipality for failing to properly maintain veterans' grave sites from \$100 per town to \$500 per cemetery for each municipality;
3. Changing the term "May 30th" for the decoration of veterans' graves to "the day Memorial Day is observed"; and
4. Requiring municipalities to follow the National Flag Code in the handling and display of American flags.

**Committee Amendment "A" (S-581)** proposed to clarify the law pertaining to municipal and county responsibility for maintaining veterans' graves. It proposed to provide that a landowner who denies a municipality or county access to an ancient burying ground may be responsible for court costs and fees for legally obtaining access to the graves. This amendment also proposed to remove the municipality's or county's option of erecting a single flagpole instead of placing individual flags on each veteran's grave on Memorial Day. This amendment also proposed to add a fiscal note to the bill.

**House Amendment "A" to Committee Amendment "A" (H-995)** proposed to clarify that municipalities are not responsible for the maintenance and decoration of veterans' graves on land owned by the Federal Government as of January 1, 2000.





**Committee Amendment "B" (S-502)**, which was not adopted, proposed to replace the original bill. It would have defined "push poll" and required anyone conducting push polling by telephone to disclose who financed the poll and, state if the poll is authorized by a candidate, and identify that candidate's name and the office sought by the candidate. Any violation of this provision would be a Class E crime. This amendment was proposed after the bill was carried over from the First Regular Session.

**House Amendment "A" (H-1185)** proposed to replace the original bill. This amendment proposed to require the Commission on Governmental Ethics and Election Practices to adopt rules regulating push polling.

**House Amendment "A" to Committee Amendment "B" (H-1178)**, which was not adopted, proposed to incorporate the changes made by Senate Amendment "A" to Committee Amendment "B" and would have changed the definition of "push poll" to mean any series of more than 1,000 telephone calls in the case of an election for a statewide office, more than 500 telephone calls in the case of an election to the State Senate or more than 250 telephone calls in the case of an election to the State House of Representatives, commenced within 17 days prior to that election. Under this definition, the poll would be designed to influence a voter's decision with a series of questions that intentionally purport to be an objective opinion poll concerning an issue or issues but would be worded to suggest answers that mislead or misrepresent the position of a candidate or provide false or misleading information regarding a candidate.

This amendment also proposed to add the requirement of a knowing or willful mental state as part of the criminal violation.

**Senate Amendment "A" to Committee Amendment "A" (S-345)**, which was not adopted, proposed to change the definition of "push poll."

**Senate Amendment "A" to Committee Amendment "B" (S-712)**, which was not adopted, proposed to amend the definition of "push poll" to apply only to series of telephone calls that are commenced within 17 days prior to an election. This amendment also proposed to specify the number of telephone calls that would have to be placed in order to come under the definition of "push polling."

**Senate Amendment "B" to Committee Amendment "A" (S-353)**, which was not adopted, changes the definition of "push poll."

**Senate Amendment "B" to Committee Amendment "B" (S-808)**, which was not adopted, proposed to direct the Commission on Governmental Ethics and Election Practices to review current disclosure laws required pursuant to the Maine Revised Statutes, Title 21-A, to develop a proposal to expand such disclosure requirements to other forms of paid political speech, including push polling, and to report its findings to the 120th Legislature.

**Senate Amendment "C" to Committee Amendment "A" (S-366)**, which was not adopted, proposed to changes the definition of "push poll."

#### ***Enacted law summary***

Resolve 1999, chapter 133 requires the Commission on Governmental Ethics and Election Practices to adopt rules regulating push polling including sanctions for candidates whose campaigns violate those rules. Rules adopted under this provision are considered major substantive rules.

**LD 1438**

**An Act to Allow for Expeditious Improvements to Commercial Tracks**

**PUBLIC 622**

<u>Sponsor(s)</u> DAGGETT	<u>Committee Report</u> OTP-AM	<u>Amendments Adopted</u> S-541
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LD 1438 proposed to allow the Harness Racing Commission to make interim payments to persons licensed to conduct pari-mutuel wagering on horse racing from the fund into which is deposited a portion of the revenue credited to the General Fund that is attributable to total wagers in excess of \$35,000,000. It also allows commercial tracks to accumulate the balance in their share of the fund from year to year, thereby allowing tracks to fund large capital improvements.

**Committee Amendment "A" (S-541)** clarifies the original bill by specifying that a commercial track may request reimbursements for improvements made during prior years beginning with the year 2000. The amendment also clarifies the definition of "improvements" to differentiate between routine repairs and maintenance and substantial enhancement to property and moveable assets.

***Enacted law summary***

Public Law 1999, chapter 622 allows the Harness Racing Commission to give interim payments to commercial tracks that are licensed to conduct harness racing. The money for these payments comes from the commercial meet account which is funded by the revenue credited to the General Fund in excess of \$35,000,000. The law allows commercial tracks to request reimbursements for improvements made to their facilities during prior years beginning January 1, 2000. Under this law, a track may accumulate its balance from reimbursements from year to year, allowing them to fund large capital improvements. This law also specifies that capital improvements are a substantial enhancement to property and do not include routine repairs and maintenance.

**LD 1439**

**An Act to Ensure the Preservation of Maine's Commercial Racetracks**

**ONTP**

<u>Sponsor(s)</u> DAGGETT	<u>Committee Report</u> ONTP	<u>Amendments Adopted</u>
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LD 1439 proposed to allow the Harness Racing Commission to make reimbursements to commercial racetracks for expenditures needed to enhance, preserve or restore their facilities or related assets.

**LD 1504**

**An Act to Amend the Lobbyist Registration Fee Provisions**

**PUBLIC 745**

<u>Sponsor(s)</u> CAREY	<u>Committee Report</u> OTP-AM	<u>Amendments Adopted</u> S-582
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LD 1504 proposed to reduce the registration fee paid annually by lobbyists and lobbyist associates and provides for all fees collected to be credited to a dedicated lobbyist registration fee account administered by the Commission on Governmental Ethics and Election Practices. The bill also proposed that the electronic filing system administered by the commission must be funded by the Maine Clean Election Fund; lobbyist registration fees, penalties and certain other revenues; and by other entities that may benefit from the electronic filing system.

**Committee Amendment "A" (S-263)**, which was not adopted, proposed to remove provisions in the original bill pertaining to electronic filing. It proposed to retain only the provisions that reduce lobbying fees and require that the fees be deposited in a dedicated account.

This amendment also proposed to add a fiscal note to the bill.

**Committee Amendment "B" (S-582)** proposed to remove provisions in the original bill pertaining to electronic filing and the requirement that fees be deposited in a dedicated account. The amendment proposed to retain only the provisions that reduce lobbying fees.

This amendment also proposed to add a fiscal note to the bill.

***Enacted law summary***

Public Law 1999, chapter 745 reduces the registration fee paid annually by lobbyists and lobbyists' associates from \$400 and \$200 to \$200 and \$100, respectively.

**LD 1544                      An Act to Study the Effectiveness of Harness Racing Promotions                      DIED BETWEEN BODIES**

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

LD 1544 proposed to abolish the Harness Racing Promotional Board effective July 10, 2000. The bill also proposed to establish the Commission to Study the Effectiveness of Harness Racing Promotions, which would have reported to the Second Regular Session of the 119th Legislature no later than January 10, 2000.

**Committee Amendment "A" (H-1029)** proposed to change current law by prohibiting money from the Harness Racing Promotional Fund from being used to pay the administration of the Harness Racing Promotion Board, the expenses of its members or the salary of the executive director. The amendment also proposed to require that the board include in its annual report to the Legislature a marketing plan based on its statutory duties. The amendment proposed to repeal the Harness Racing Promotion Board June 3, 2001 and would have added a fiscal note to the bill.

<u>Sponsor(s)</u>	<u>Committee Report</u>	<u>Amendments Adopted</u>
TUTTLE	OTP-AM	H-807

LD 1644 proposed to amend the limitations on off-track betting facilities to clarify that, by racing the number of days prescribed in the Maine Revised Statutes, Title 8, section 275-N, commercial tracks are entitled to engage in simulcasting during their live race meets.

**Committee Amendment "A" (H-807)** would clarify proposed language that amends the limitations on off-track betting facilities. The amendment also proposed to amend the liquor laws by permitting a minor on the premises of a Class A lounge where harness horse racing is conducted if the minor is at least 18 years of age.

***Enacted law summary***

Public Law 1999, chapter 568 states that a commercial track may conduct interstate simulcasting of horse races during a regular race meet at the track. This law also changes the liquor laws by permitting a minor who is at least 18 years of age on the premises of a class A lounge where harness horse racing is conducted.

Public Law 1999, chapter 568 was enacted as an emergency measure effective March 21, 2000.

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

LD 1715 proposed to allow the operation of video gaming terminals by nonprofit organizations that are eligible for games of chance licenses and that are exempt from federal tax under Internal Revenue Code, Sections 501(c)(3), 501(c)(4), 501(c)(8), 501(c)(10) or 501(c)(19). These sections of the tax code refer to charitable organizations, civic leagues, fraternal benefit societies, domestic fraternal societies and associations and veterans organizations. Under this proposal, organizations that currently have licenses for electronic video machines but do not qualify under one of those code sections may apply for an initial license while they seek the required federal tax status. The organization applying for the license must own or lease the premises on which the terminals will be placed and must use the premises for its charitable or nonprofit purpose, as proposed by LD 1715.

The bill proposed that video gaming terminal manufacturers, distributors, wholesalers and operators must be licensed by the Chief of the State Police, following background investigations of the applicants and their major business partners. Local approval would be required for a license to operate video gaming terminals under this bill.

As proposed, the license specifies the number of terminals allowed on the premises, and that the maximum number of terminals allowed is 5 per licensee. Terminals would be licensed by the Chief of the State Police and would be required to be connected to a computer system operated by the Director of the Bureau of Alcoholic Beverages and Lottery Operations. This computer system would provide continuous on-line monitoring of video gaming terminal activity. Persons under 21 years of age would not be allowed to use the machines. Only members of the organization and their guests would be allowed to play, except that the organization may obtain a license to offer the machines for public use once every 6 months for a period of 3 consecutive days. The bill proposed that the maximum dollar amount for each play would be \$2 and the maximum payout would be \$1,000. Each game on each machine would be required to return at least 90% of wagers to players, calculated on an annual basis.

As proposed by this bill, a single distributor would not be able to own more than 300 machines or 15% of the total number of machines in the State, whichever is less. A person could not hold more than one type of license; for example, a distributor would not be able to also act as a licensee or a manufacturer.

Net terminal income, which is income after payback to players, was proposed to be divided as follows: 33 1/3% to the State for payment into the Video Gaming Fund for administrative expenses, municipal revenue sharing and General Fund revenue; 33 1/3% to the distributor; and 33 1/3% to the licensee.

The bill proposed that licenses be issued for one year. Applicants for an initial license must pay the actual costs of processing the application and performing the background investigation.

**LD 1728**

**Resolve, Authorizing the Members of the Sullivan Family to Bring Suit Against Waldo County and the State**

**ONTP**

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

LD 1728, a resolve, proposed to authorize John Sullivan, Demain Sullivan, Kristen Sullivan and Sean Sullivan to bring a civil suit against the State for damages resulting from an automobile accident, which occurred on July 2, 1998 on Route 131 in Waldo.

**Committee Amendment "A" (S-154)** proposed to do the following:

1. Modify the resolve to authorize a suit against Waldo County rather than the State;
2. Add a mandate preamble to the resolve;
3. Remove language limiting recovery to the applicable insurance policy limits;
4. Change the title to reflect the changes to the resolve; and
5. Add a fiscal note.

**Committee Amendment "B" (S-601)** proposed to authorize John Sullivan, Demain Sullivan, Kristen Sullivan and Sean Sullivan to bring a civil suit against the State and Waldo County for damages resulting from an automobile accident that occurred on July 2, 1998 on Route 131 in the Town of Waldo. The judgment, including cost and interest, could not exceed a total of \$1,000,000; \$300,000 from the county and \$700,000 from the State, under this amendment.

**House Amendment "A" to Committee Amendment "B" (H-1123)** proposed to incorporate the changes made by Committee Amendment "B," and clarify that the liability assessed against the State and Waldo County would be limited to \$700,000 for the State and \$300,000 for Waldo County and would limit the waiver of immunity to an increase of the cap on damages from \$400,000 to \$1,000,000.

**House Amendment "B" to Committee Amendment "B" (H-1126)** proposed to incorporate the changes made by Committee Amendment "B," and clarify that the liability assessed against the State and Waldo County would be limited to \$700,000 for the State and \$300,000 for Waldo County and limits the waiver of immunity to an increase of the cap on damages from \$400,000 to \$1,000,000.

**Senate Amendment "A" to Committee Amendment "B" (S-603)** was presented on behalf of the Committee on Bills in the Second Reading to correct a technical omission in the committee amendment.

**Senate Amendment "B" to Committee Amendment "B" (S-646)** proposed that, notwithstanding the Maine Revised Statutes, Title 14, section 8105, subsection 1, the limit on damages, including costs and interest, would be \$1,000,000 in any suit brought by John Sullivan, Demain Sullivan, Kristen Sullivan and Sean Sullivan, who claimed to have suffered damages as a result of an automobile accident that occurred July 2, 1998 on Route 131 in Waldo due to the negligence of an employee of the Waldo County Sheriff's Department. Waldo County could not be ordered to pay more than \$300,000 under this amendment and the State would not be ordered to pay more than \$700,000.

**Senate Amendment "C" to Committee Amendment "B" (S-664)** proposed that, notwithstanding the Maine Revised Statutes, Title 14, section 8105, subsection 1, the limit on damages, including costs and interest, would be \$1,000,000 in any suit brought by John Sullivan, Demain Sullivan, Kristen Sullivan and Sean Sullivan, who claimed to have suffered damages as a result of an automobile accident that occurred July 2, 1998 on Route 131 in Waldo due to the negligence of an employee of the Waldo County Sheriff's Department. Under this amendment, Waldo County would not be ordered to pay more than \$300,000 and the State would not be ordered to pay more than \$700,000. This amendment proposed that if Waldo County is liable for an amount greater than \$300,000, the State would pay the amount that exceeds \$300,000, except that the amount paid by the State, when added to the amount, if any, the State would be ordered to pay on the basis of its own liability, could not exceed \$700,000.

**Senate Amendment "D" to Committee Amendment "B" (S-682)** proposed that, notwithstanding any statute or common law to the contrary, John Sullivan, Demain Sullivan, Kristen Sullivan and Sean Sullivan, who claim to have suffered damages as a result of an automobile accident that occurred July 2, 1998 on Route 131 in Waldo due to the negligence of an employee of the Waldo County Sheriff's Department, would be authorized to bring a civil action against Waldo County and the State. The limit on damages, including costs and interest, would be \$1,000,000. Waldo County would not be ordered to pay more than \$300,000. The State would not be ordered to pay more than \$700,000. The amendment proposed that, if Waldo County is liable for an amount greater than \$300,000, the State would pay the amount that exceeds \$300,000, except that the amount paid by the State, when added to the amount, if any, the State is ordered to pay on the basis of its own liability, would not exceed \$700,000.

LD 1743

An Act to Preserve Live Harness Racing in the State

VETO  
SUSTAINED

<u>Sponsor(s)</u>	<u>Committee Report</u>	<u>Amendments Adopted</u>
TESSIER	OTP-AM MAJ	H-913
DAGGETT	ONTP MIN	S-638 DAGGETT

LD 1743 proposed to allow commercial tracks to accept over-the-telephone wagers on races conducted at that track, but only from individuals with prefunded accounts established at the track. Monies wagered by telephone account wagering would be subject to the same commissions as wagers placed directly at the track under this proposal. This bill proposed that wagering be limited to bets placed at commercial tracks or races conducted at commercial tracks.

**Committee Amendment "A" (H-913)** proposed to allow licensed off-track betting facilities and any facilities licensed to conduct simulcast racing to conduct telephone wagering on races. The amendment also proposed to add a minimum deposit requirement and states that accounts may be established only by residents of this State. Under this amendment, money used to place telephone account wagers must be on deposit with the licensed facility in an amount sufficient to cover the wagers.

This amendment also adds an appropriation section and a fiscal note to the bill.

**Senate Amendment "A" to Committee Amendment "A" (S-638)** proposed to allow the deposit which established the telephone betting account to be in the form of a confirmed credit card transaction. This amendment clarifies that the actual telephone account wagers may not be placed using a credit card.

LD 1796

An Act to Improve the Absentee Voting Process

PUBLIC 645  
EMERGENCY

<u>Sponsor(s)</u>	<u>Committee Report</u>	<u>Amendments Adopted</u>
DAGGETT	OTP-AM	S-515
TUTTLE		

LD 1796 proposed to allow any voter to vote by absentee ballot at any election, and remove the current requirement to state reasons for permitting a person to vote by absentee ballot. This bill also proposed to clarify the procedures for requesting and issuing an absentee ballot. The bill further proposed to amend the procedure for a candidate or a candidate's representative to inspect absentee ballot applications and envelopes on election day before the ballots are processed.

**Committee Amendment "A" (S-515)** proposed to add a definition of "third person" or "3rd person" to the election laws. It proposed to make several minor technical amendments including: clarifying a reference to residential care facilities; removing references to obsolete punch card voting machines; moving a provision that preserves secrecy for voters to an appropriate section of the election laws; and corrects a section of the Maine Revised Statutes, Title 30-A that mistakenly provides that candidates for municipal office file campaign reports with the Secretary of State instead of the Commission on Governmental Ethics and

Election Practices. The amendment also proposed to add an emergency preamble and emergency clause to the bill.

***Enacted law summary***

Public Law 1999, chapter 645 allows a voter to vote by absentee ballot at any election and removes past requirements for stating the reason for permitting a person to vote by absentee ballot. This law also clarifies the procedures for requesting an absentee ballot. This law imposes an earlier deadline on candidates who wish to inspect absentee ballots before they are processed. A candidate must notify the clerk by 5 pm the day before an election regarding the intent to inspect. The candidate then has 30 minutes to inspect absentee ballots.

Public Law 1999, chapter 645 was enacted as an emergency measure effective April 10, 2000.

**LD 1901**

**An Act to Prohibit the Scalping of Entertainment Tickets**

**DIED IN  
CONCURRENCE**

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

LD 1901 proposed to make it unlawful to resell a ticket to a sporting event or other public entertainment at a public facility at an inflated price, a practice commonly known as "ticket scalping."

**Committee Amendment "A" (H-774)** proposed to strike from the original bill, a section defining a "service charge" for the resale of a ticket to a theatrical exhibition, sporting event or public amusement. It also proposed to exempt ticket-selling businesses that are registered or certified to do business in the State from the provisions set out by the amended bill. The amendment would have added a fiscal note to the bill.

**LD 1932**

**An Act to Create the Beano and Games of Chance Commission**

**ONTP**

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

LD 1932 proposed to create the Beano and Games of Chance Commission. It would have replaced the Chief of the State Police as the administrator of the beano and games of chance laws with the commission. The Chief of the State Police would have remained the enforcement body with regard to beano and games of chance.

Under this proposal, the Beano and Games of Chance Commission would have consisted of 5 members appointed by the Governor and subject to approval by the joint standing committee of the Legislature having jurisdiction over legal and veterans affairs.

**LD 2020**

**Resolve, Directing the Bureau of Liquor Enforcement to License an Agency Liquor Store in the City of Caribou**

**INDEF PP**

<u>Sponsor(s)</u>	<u>Committee Report</u>	<u>Amendments Adopted</u>
O'NEAL	OTP-AM MAJ	
KIEFFER	ONTP MIN	

LD 2020 proposed to direct the Department of Public Safety, Bureau of Liquor Enforcement to license an agency liquor store in the City of Caribou no later than 60 days after the effective date of this resolve.

**Committee Amendment "A" (H-777)** proposed to remove the 60-day requirement for licensing an agency liquor store in the City of Caribou.

**LD 2032**

**An Act to Clarify Maine's Campaign Finance Laws**

**DIED IN CONCURRENCE**

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

LD 2032 proposed to exempt a candidate for Governor from the limitations on contributions if an opponent or spouse of an opponent lends or contributes an aggregate of at least \$25,000 to the opponent's gubernatorial campaign.

**Committee Amendment "A" (S-519)** proposed to remove the provision in the bill that exempted an opponent of a candidate for Governor who lends or contributes \$25,000 to that candidate's campaign from all limitations on contributions. The amendment also proposed that the opponent may accept individual contributions not to exceed \$5,000. Under this proposal, the exception applies only to opponents who are not registered as participating candidates in the Maine Clean Election Act funding program. It also would have added a fiscal note.

**LD 2133**

**Resolve, Directing the Commission on Governmental Ethics and Election Practices to Simplify the Reporting Form for Candidates**

**ONTP**

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

LD 2133 proposed to direct the Commission on Governmental Ethics and Election Practices to revert to the format used in the reporting form for candidates in 1996, except that the addition of a check-off box to identify the nature of certain types of expenditures and revenues would have been permitted.

**LD 2141**

**An Act to Remove the Limit on the Amount of Complimentary Wine that a Wine Retailer may Receive Annually**

**ONTP**

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

LD 2141 proposed to remove the limit on the amount of wine samples that certain retailers licensed to sell wine may receive from a small brewery, farm winery or wholesaler.

**LD 2148**

**An Act to Improve Harness Racing in the State**

**ONTP**

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

LD 2148 proposed to authorize the operation of licensed video lottery terminals at facilities licensed to conduct pari-mutuel wagering. Under this proposal, the Harness Racing Commission would have received up to \$250,000 to implement video lottery. This money would have been required to be reimbursed. This bill proposed that no facility could have in excess of 200 licensed machines and that the pay-back from the machine must be at least 80%. The licensee would have had the discretion to place limits on the amount of time and money spent on that licensee's machines. Some funds from the machines would have been distributed as follows:

1. 10% retained for administrative expenses on behalf of the state.
2. 30% deposited to local government.
3. 9% to the Harness Racing Commission to supplement harness racing purses.
4. 2% to agricultural fairs.
5. 1% to the Sire Stakes fund.

The remainder of the money would have been retained by the licensee as profit, lease payments, or for other related expenses.

**LD 2153**

**An Act to Modify the Campaign Finance Laws with Regard to Running for Federal Office**

**PUBLIC 648**

<u>Sponsor(s)</u>	<u>Committee Report</u>	<u>Amendments Adopted</u>
MCALLEVEY	OTP-AM	H-892

LD 2153 proposed to require that a state Legislator who is running for federal office file a report with the Commission on Governmental Ethics and Election Practices. It also proposed to re-state a provision in

current law which permits a candidate for federal office to solicit and receive contributions for that candidate's federal campaign even during the state legislative session.

**Committee Amendment "B" (H-892)** proposed to strike the requirement in the bill that a Legislator running for federal office file a separate form established by the Commission on Governmental Ethics and Election Practices. It proposed to retain the addition to current law that clarifies that a Legislator running for federal office is not prohibited from soliciting or accepting contributions for that office while the Legislature is in session. The amendment also proposed to add a fiscal note.

***Enacted law summary***

Public Law 1999, chapter 648 clarifies a provision of current law by stating that a legislator running for federal office is not prohibited from soliciting or accepting contributions for that office while the Legislature is in session.

**LD 2162**

**RESOLUTION, Proposing an Amendment to the Constitution of  
Maine to Allow Persons with Mental Illness to Vote**

**CON RES 3**

<u>Sponsor(s)</u>	<u>Committee Report</u>	<u>Amendments Adopted</u>
BRENNAN DAGGETT	OTP-AM	H-796 H-850 MARTIN

This Constitutional Resolution proposed, upon approval at referendum, to remove the current restriction that prohibits persons under guardianship for reasons of a mental illness from voting.

**Committee Amendment "A" (H-796)** proposed to clarify the question asked by the constitutional referendum so that it would not be posed in the negative. The amendment also proposed to add a fiscal note.

**House Amendment "A" to Committee Amendment "A" (H-850)** proposed to rephrase the referendum question so it would read: "Do you favor amending the Constitution of Maine to end discrimination against persons under guardianship for reasons of mental illness for the purpose of voting?"

***Enacted law summary***

Constitutional Resolution 1999, chapter 3, upon approval by a majority of voters at referendum, will remove the current restriction that prohibits persons under guardianship for reasons of mental illness from voting. If a majority of the voters do not approve removing this restriction, this provision of the Constitution will stay the same.

**LD 2183**

**An Act to Clarify Provisions of the Laws Administered by the  
Commission on Governmental Ethics and Election Practices**

**ONTP**

Sponsor(s)

Committee Report  
ONTP

Amendments Adopted

LD 2183 proposed to make several substantive changes to the laws governing legislative disclosure, legislative ethics, campaign practices and campaign finance reporting. Some of those changes proposed include:

1. Expanding the definition of “gift” and “anything of value;”
2. Expanding the provisions governing conflict of interest on behalf of legislators;
3. Increasing the level of confidentiality imposed on evidence presented relating to a ethics complaint against a legislator;
4. Permitting non-legislators to file complaints with the Commission on Governmental Ethics and Election Practices against members of the Legislature;
5. Removes provisions which provide legislators with recourse if a frivolous complaint is filed against them;
6. Repealing current provisions which state that House of Representatives or the Senate may take whatever action it deems appropriate in response to an alleged ethical violation on behalf of a legislator that is a member of that body; and
7. Provides the Commission on Governmental Ethics and Election Practices with greater flexibility when imposing penalties for campaign finance reports which are filed late.

**LD 2195**

**An Act to Allow a Specialty Wine Store to Provide Free Wine  
Samples**

**ONTP**

Sponsor(s)  
MACK

Committee Report  
ONTP

Amendments Adopted

LD 2195 proposed to allow an establishment licensed as a specialty wine store to give wine samples. The bill proposed to require the store to have a designated area for the sampling of the wine and also would have established conditions under which the wine sampling may take place. The bill proposed to allow an unlimited number of taste testings per month and require a retail licensee to charge for the wine tasting.

LD 2200

**An Act to Permit Persons Out-of-state to Ship Malt Liquor and Wine to Maine Residents**

ONTP

<u>Sponsor(s)</u>	<u>Committee Report</u>	<u>Amendments Adopted</u>
LAWRENCE	ONTP MAJ	
WHEELER G	OTP-AM MIN	

LD 2200 proposed to allow a person outside of this State to ship to a household in Maine up to 2.4 gallons of malt liquor and 2.4 gallons of wine per month. This bill proposed to repeal the current law prohibiting the interstate shipment of liquor. Under this proposal, a manufacturer would be required to be licensed in its own state in order to ship liquor to Maine. The manufacturers would have been required to obtain a \$50 shipper's license in order to ship liquor to Maine.

LD 2292

**An Act to Direct the State Liquor and Lottery Commission to Pursue Partnerships to Enhance Lottery Revenues**

PUBLIC 586

<u>Sponsor(s)</u>	<u>Committee Report</u>	<u>Amendments Adopted</u>
CAREY	OTP-AM MAJ	S-506
LABRECQUE	OTP MIN	

LD 2292 proposed to enable Maine, New Hampshire and Vermont to expand the number of states that may be members of the current Tri-state Lotto Compact.

**Committee Amendment "A" (S-506)** proposed to alter the title of the original bill. It also proposed to add a section to the bill that directs the State Liquor and Lottery Commission to investigate the State's membership in the "Big Game" Lottery or other similar multi-state lottery compact. The amendment also proposed to add a fiscal note.

*Enacted law summary*

Public Law 1999, chapter 586 enables Maine, New Hampshire and Vermont to expand the number of states that may be members of the Tri-State Lotto Compact. In order to take effect, such a change to the compact requires approval by the legislatures of New Hampshire and Vermont.

The law also directs the State Liquor and Lottery Commission to examine the possibility and feasibility of the state's membership in the "Big Game" lottery or other similar multi-state lottery compacts.

LD 2293

**An Act to Amend the Laws Governing Municipal Elections**

PUBLIC 712

<u>Sponsor(s)</u>	<u>Committee Report</u>	<u>Amendments Adopted</u>
ABROMSON	OTP-AM MAJ	H-1104 TUTTLE
	ONTP MIN	S-552

LD 2293 proposed to authorize municipal officers to delegate their responsibility to another decision-making entity in the event of disputed or challenged ballots in a municipal election. The bill also proposed to allow candidates who are contesting an election result to agree to extend the current 30-day period within which an appeal to court may be filed.

**Committee Amendment "A" (S-552)** proposed to specify that an independent panel that may be used to settle disputed or challenged ballots would be made up of 3 members selected by a majority vote of the municipal officers and that no member of the panel may be a municipal officer.

**House Amendment "A" to Committee Amendment "A" (H-1104)** proposed to clarify the procedure when an independent panel is utilized to resolve a ballot dispute or challenge and strikes language requiring the court to adopt procedures by rule.

***Enacted law summary***

Public Law 1999, chapter 712 provides municipalities with the option of delegating their responsibility to decide how to count disputed or challenged ballots in a municipal election. To implement this option the municipality may pass an ordinance or execute an order. The decision on how to count the ballots may be delegated to either the Superior Court or an independent panel. The law also allows candidates who are contesting an election result to agree to extend the 30-day period within which an appeal to court must be filed.

**LD 2298**

**An Act to Clarify the Law Relating to the Renewal of Liquor Licenses**

**PUBLIC 589**

<u>Sponsor(s)</u> DAGGETT		<u>Committee Report</u> OTP-AM		<u>Amendments Adopted</u> S-509
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LD 2298 proposed to clarify the law by stating that the 60-day automatic renewal of a liquor license provided in current law does not apply when an applicant for renewal has an existing license that is extended while the application is being processed.

**Committee Amendment "A" (S-509)** to clarify proposed language in the original bill stating that the 60-day automatic renewal does not apply to on-premise licenses that are extended pending renewal. It also proposed to require that municipal officers or county commissioners must make a final decision on the renewal within 120 days.

***Enacted law summary***

Public Law 1999, chapter 589 states that the provision which automatically grants the renewal of an on-premise liquor license if the municipal officers or county commissioners do not act within 60 days, does not apply when the existing license has been extended while the renewal application is being processed. The law also states that the municipal officers or county commissioners must make a final decision on the renewal within 120 days.

**LD 2328**

**An Act Concerning the Rules of the Maine Veterans' Memorial Cemetery**

**ONTP**

Sponsor(s)

Committee Report  
ONTP

Amendments Adopted

LD 2328 proposed to implement one of the recommendations of the Committee to Study Standardized Periods of Military Service and Other Matters Related to the Award of State of Maine Veterans' Benefits. This recommendation designates the rules governing the operation of the Maine Veterans' Memorial Cemetery as major substantive rules subject to the rule-making process. The bill also proposed to require the Commissioner of Defense, Veterans and Emergency Management to develop proposed rules through a consensus-based process in advance of rulemaking.

**LD 2329**

**An Act to Designate as Public Assistance Emergency Assistance for Dependents of Veterans**

**ONTP**

Sponsor(s)

Committee Report  
ONTP

Amendments Adopted

LD 2329 proposed to implement one of the recommendations of the Committee to Study Standardized Periods of Military Service and Other Matters Related to the Award of State of Maine Veterans' Benefits. This recommendation proposes to designate as public assistance, the aid provided to veterans and their dependents pursuant to the Maine Revised Statutes, Title 37-B. The bill also proposed to require that the Department of Defense, Veterans and Emergency Management retain administrative responsibility for this aid.

**LD 2330**

**An Act to Require the Department of Defense, Veterans and Emergency Management to Report to the Legislature on Matters Related to State Veterans Laws**

**PUBLIC 565**

Sponsor(s)

Committee Report  
OTP-AM

Amendments Adopted  
H-797

LD 2330 proposed to implement one of the recommendations of the Committee to Study Standardized Periods of Military Service and Other Matters Related to the Award of State of Maine Veterans' Benefits. It proposed to require the Commissioner of Defense, Veterans and Emergency Management to report biennially to the Legislature on recommended changes to the laws governing veterans' affairs. The bill also would require the commissioner to study the laws governing eligibility for state veterans' benefits and to report findings and recommendations by December 31, 2000.

**Committee Amendment "A" (H-797)** proposed to amend the original bill by specifying that the report of the Commissioner of Defense, Veterans and Emergency Management on laws governing eligibility for state veterans' benefits must be made to the joint standing committee of the Legislature having jurisdiction over legal and veterans' affairs.

***Enacted law summary***

Public Law 1999, chapter 565 requires the Commissioner of Defense, Veterans and Emergency Management to report biennially to the joint standing committee of the Legislature having jurisdiction over legal and veterans affairs on recommended changes to the laws governing veterans affairs. It also requires the commissioner to study the laws governing eligibility for state veterans benefits and to report findings and recommendations by December 31, 2000.

**LD 2349**

**An Act to Allow Video Lottery Terminals**

**ONTP**

<u>Sponsor(s)</u>		<u>Committee Report</u> ONTP		<u>Amendments Adopted</u>
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LD 2349 is a citizen initiated bill. It proposed to authorize the operation of video-lottery terminals at commercial tracks licensed to conduct harness racing. Under this bill, a video lottery terminal is defined as any mechanical electronic or electrical device or machine that, upon insertion of a coin or credit is available to play or operate and by chance, may deliver or entitle the player to cash or merchandise. The pay off could be made automatically or in any other manner under this definition.

LD 2349 proposed that commercial tracks may be licensed to conduct video gambling without prior municipal approval and there would be no limit to the number of machines permitted at a licensed commercial track. Individual terminals would not be required to be licensed but would be required to be registered and would be prohibited from containing any device which could manipulate the probabilities of winning. Fees permitting one to manufacture, wholesale, distribute or operate video lottery machines would be \$1,000 every two years.

Under this bill, funds from video lottery machines would be distributed as follows:

1. 40% to the Treasurer of the State of Maine for the Local Government fund.
2. 26% to the distributor who owns the machine.
3. 5% to the licensee to supplement harness racing purses.
4. 1% to the Sire Stakes fund.
5. 3% to the Department of Public Safety.
6. 2% for the agricultural fairs stipend fund.

This would leave 23% for the licensee.

Since the Legislature voted not to pass LD 2349, it will be placed on the ballot in November 2000. If a majority of the voters approve the proposal it will be enacted.

LD 2371

**An Act to Allow a State Agency to Accept a Donated Item and Conduct a Raffle to Benefit Fish and Wildlife Conservation Projects**

ONTP

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

LD 2371 proposed to allow a state agency to conduct a raffle for a donated item to benefit fish and wildlife conservation projects.

LD 2407

**An Act to Amend the Laws Regulating Farm Wineries**

**PUBLIC 535  
EMERGENCY**

<u>Sponsor(s)</u>	<u>Committee Report</u>	<u>Amendments Adopted</u>
BRUNO	OTP-AM	H-795

LD 2407 proposed to allow the holder of a farm winery license to fortify wine and import spirits as long as those spirits are used exclusively for the fortification of wine produced by the farm winery license holder. The bill proposed to maintain the current production limitation of 50,000 gallons and prohibits the winery from fortifying the wine beyond an alcohol content of 24%.

**Committee Amendment "A" (H-795)** proposed to maintain the provision that allows a farm winery to fortify wine and import spirits for the purposes of fortifying wine. It proposed to amend the liquor laws to clarify the difference between fortified wine and spirits. This amendment also proposed to correct some errors in current law regarding the definition of low-alcohol spirits products.

***Enacted law summary***

Public Law 1999, chapter 535 changes the provisions of a farm winery license. Under this law, the holder of a farm winery license may fortify wine. The licensee may import spirits as long as those spirits are used only for the fortification of wine made by the licensee. PL 1999, chapter 535 also clarifies the difference between fortified wine and spirits and corrects an error in the law regarding the definition and distribution of low-alcohol spirits products.

Public Law 1999, chapter 535 was enacted as an emergency measure effective February 23, 2000.

<u>Sponsor(s)</u>	<u>Committee Report</u>	<u>Amendments Adopted</u>
CHIZMAR	OTP-AM MAJ ONTP MIN	H-1045 S-647 DAGGETT

LD 2462 proposed to amend the laws regarding games of chance licensed to be conducted by agricultural fair societies and bona fide non-profits during the annual fair of an agricultural society. It proposed that the fair society may pay non-members to operate licensed games of chance as long as those payments would not exceed 300% of the state's minimum wage. It proposed to allow fair societies and bona fide non-profits to lease machines for conducting games of change from licensed distributors as long as the lease amount not exceed 50% of the gross return from the machine. LD 2462 also proposed that games of chance conducted at agricultural fairs be conducted with tickets or tokens and not cash.

**Committee Amendment "A" (H-1045)** proposed to specify that each gaming apparatus leased to an agricultural fair be required to have a separate individual lease. The maximum amount to be gambled per game on a licensed game of chance would be changed from 50¢ to \$1 by this amendment. Under this amendment proceeds from games of chance conducted agricultural fairs could be used to pay the wages of persons who operate games of chance as long as payment not exceed 300% of minimum wage. The amendment also proposed to specify that games operated by an agricultural fair or bona fide nonprofit may use cash, tokens, tickets or other device approved by the Chief of the State Police. As proposed, beginning January 1, 2001, those games not run solely by the fair or bona fide nonprofit would be required to use tokens, tickets or other device approved by the Chief of the State Police. The amendment also proposed to add a requirement that the joint standing committee of the Legislature having jurisdiction over games of chance review this Act, if passed, by November 15, 2003.

This amendment also proposed to add a fiscal note to the bill.

**Senate Amendment "A" (S-647)** proposed to add an emergency preamble and clause to the bill.

#### *Enacted law summary*

Public Law 1999, chapter 716, specifies that agricultural fair societies licensed to operate games of chance may use the proceeds of those games to pay the wages of those who operate the games as long as the amount does not exceed 300% of the minimum wage established by Maine law. This law states that a licensed distributor of gambling machines may lease equipment to agricultural fair societies licensed to conduct games of chance as long as the lease amount does not exceed 50% of the gross revenue of any licensed game of chance. Under this law, the maximum bet on a game of chance was increased from 50 cents to one dollar.

Public Law 1999, chapter 716 also requires, beginning January 1, 2001, that games of chance at agricultural fairs which are operated by persons other than members of the agricultural fair society or a bona fide nonprofit be conducted using tokens, tickets or some other device approved by the Chief of the State Police by rule.

Public Law 1999, chapter 716 was enacted as an emergency measure effective April 14, 2000.

LD 2503

**An Act to Establish a Special Liquor License for Pool Halls and Billiard Rooms**

ONTP

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

LD 2503 proposed to establish a special liquor license for pool halls and billiard rooms that have 4 or more pool or billiard tables. Under this new license, a pool hall or billiard room may be issued a license for the sale of malt liquor to be consumed on premises. Unlike the current system, which links the issuance of the license to the percentage of sales of food, this new license would have no such requirement.

LD 2533

**An Act to Amend the Liquor Laws to Create a New Category of License for Pool Halls and Exempt Them from the Prohibition Against Smoking**

PUBLIC 760

<u>Sponsor(s)</u>	<u>Committee Report</u>	<u>Amendments Adopted</u>
TUTTLE	OTP-AM	H-1004 H-1168 TUTTLE

LD 2533 proposed to create a definition of pool hall stating that a pool hall must have at least 4 tables. Under this proposal, the Bureau of Liquor Enforcement could issue a Class I license to a pool hall, bowling center and off-track betting facility, which would permit the sale of beer, wine and spirits for on-premise consumption. The bill also proposed to remove the requirement for bowling centers which states that 10% of their gross annual income must come from the sale of food and that liquor be served in an area separate from where bowling is conducted.

**Committee Amendment "A" (H-1004)** proposed to replace the original bill. It proposed to create definitions for a bowling center lounge, a pool hall and a self-contained lounge. Under this amendment, a bowling center lounge and a self-contained lounge would be considered lounges for the purposes of the Maine Revised Statutes, Title 22, section 1542 and thus would not be subject to the ban on smoking. The amendment includes pool halls with those facilities that may obtain a license to sell beer and wine would be for on-premise consumption. Under this amendment, pool halls would be exempt from the ban on smoking as long as minors are prohibited on the premises.

This amendment also proposed to add a fiscal note to the bill.

**House Amendment "A" to Committee Amendment "A" (H-1096)**, which was not adopted, proposed to change the requirements for a self-contained lounge within a Class A restaurant/lounge. It proposed to add to the exceptions to the public smoking ban the following locations: bowling center lounge, pool hall and self-contained lounge.

**House Amendment "B" to Committee Amendment "A" (H-1100)**, which was not adopted, proposed to remove provisions that allow smoking in a lounge portion of a Class A restaurant/lounge. It would have

added bowling center lounges and pool halls to the exceptions to the law which bans smoking in public places.

**House Amendment "C" to Committee Amendment "A" (H-1168)** As proposed, this amendment incorporates the changes made by the proposed Senate Amendment "A" to Committee Amendment "A", which would strike all provisions pertaining to self-contained lounges in a Class A restaurant/lounge. In addition, this amendment proposed to clarify the definition of a bowling center lounge and remove the provisions that would exempt a bowling center lounge from the ban on smoking.

**Senate Amendment "A" to Committee Amendment "A" (S-669)**, which was not adopted, proposed to remove the provisions of Committee Amendment "A" that would have defined "self-contained lounges" as lounges, thus removing the exemption from smoking restrictions for such lounges.

**Senate Amendment "B" to Committee Amendment "A" (S-670)**, which was not adopted, proposed to remove the provisions of Committee Amendment "A" that would have defined "bowling center lounges" as lounges, thus removing the exemption for bowling center lounges from smoking restrictions.

**Senate Amendment "C" to Committee Amendment "A" (S-671)**, which was not adopted, proposed to require the Department of Human Services to make rules requiring separate ventilation systems for establishments licensed under the Maine Revised Statutes, Title 22 that have designated smoking areas as provided by Title 22, section 1542.

**Senate Amendment "D" to Committee Amendment "A" (S-672)**, which was not adopted, proposed to require that the Bureau of Liquor Enforcement apply a fee to the annual license of an on-premise establishment that permits smoking in accordance with the terms of its license. The fee would be an amount equal to the square footage of floor space in any enclosed area where smoking is permitted multiplied by \$3.

***Enacted law summary***

Public Law 1999, chapter 760 defines pool hall within the liquor laws and includes pool halls among other facilities which may apply to obtain licenses to serve beer and wine to be consumed on the premises. Under this law, pool halls are exempt from the ban on smoking when persons under the age of 18 are prohibited from being on the premises.

**LD 2548**

**An Act to Raise Production Limits for Microbreweries**

**ONTP**

<u>Sponsor(s)</u> STANWOOD GOLDTHWAIT	<u>Committee Report</u> ONTP	<u>Amendments Adopted</u>
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LD 2548 proposed to raise the amount of malt liquor a small brewery would be able to produce per year from 50,000 gallons to 100,000 gallons.

<u>Sponsor(s)</u>	<u>Committee Report</u>	<u>Amendments Adopted</u>
SAXL M	OTP-AM MAJ ONTP MIN	H-1006

LD 2571 proposed to create a new liquor license for the purpose of promoting Maine brewery and winery products. Under this proposed license, an incorporated civic organization may obtain up to 2 Maine brewery and winery products promotional licenses per year.

**Committee Amendment "A" (H-1006)** proposed to replace the original bill. It proposed to repeal the special taste-testing festival license in current law and replace it with one that would be applied for jointly by Maine small breweries and wineries. The special taste-testing festival license would be for the purpose of promoting Maine small breweries and wineries. The license fee per brewery or winery would be \$20.

The amendment also proposed to add a fiscal note to the bill.

#### *Enacted law summary*

Public Law 1999, chapter 677 creates a special taste-testing festival license for the purposes of promoting Maine brewery and winery products. The license is applied for jointly by breweries and wineries. The license fee for each brewery or winery participating in the festival is \$20. A brewery or winery may participate in one taste-testing festival annually. A brewery or winery may not offer samples in return for money but the festival may charge an admission fee. A person attending the festival is limited to 12, four-ounce samples or other amounts not to exceed 48 ounces. Persons under the age of 21 are not permitted at the festival unless accompanied by an adult or legal guardian.

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

LD 2576 proposed to amend certain key dates under the election laws by making them uniformly March 15th. The bill proposed to change the deadline for filing paperwork due under the Maine Clean Election Act from March 16th to March 15th beginning in calendar year 2001. The bill also proposed to allow the Secretary of State to accept primary petition filings until 5:00 p.m. on March 16th for election year 2000 only.

**Committee Amendment "A" (S-600)** proposed to change the deadline for filing paperwork due under the Maine Clean Election Act from June 2nd to June 1st, beginning in calendar year 2001. The amendment would have allowed the Secretary of State to accept nonparty nomination petition filings until 5 p.m. on June 2nd for election year 2000 only.

<u>Sponsor(s)</u>	<u>Committee Report</u>	<u>Amendments Adopted</u>
RUHLIN ROWE	OTP-AM	S-583 S-791 MICHAUD

LD 2585 proposed to give members of the Maine National Guard a full grant of tuition at the University of Maine System, the Maine Maritime Academy, the Maine Technical College System and any other Maine postsecondary education institution as long as the member maintains at least a 2.0 grade point average and serves in the Maine National Guard for at least one year after the tuition assistance is granted. The tuition grant would be given by the Maine National Guard. This bill also proposed that a member of the Maine National Guard attending the University of Maine System, the Maine Maritime Academy or the Maine Technical College System would qualify for in-state tuition rates.

**Committee Amendment "A" (S-583)**, which was not adopted, proposed to add nonsubstantive, clarifying language to the bill. It also proposed to add an appropriation section and a fiscal note to the bill.

**Senate Amendment "A" to Committee Amendment "A" (S-791)** proposed to strike the committee amendment. The amendment would change the original bill to a resolve and create a pilot program that would give members of the Maine National Guard a full grant of tuition at the University of Maine System, the Maine Maritime Academy, the Maine Technical College System and any other Maine postsecondary education institution as long as the member maintains at least a 2.0 grade point average and serves in the Maine National Guard for at least one year after the tuition assistance is granted. The tuition grant would be given by the Maine National Guard.

This amendment also proposed that a member of the Maine National Guard attending the University of Maine System, the Maine Maritime Academy or the Maine Technical College System would qualify for in-state tuition rates.

#### *Enacted law summary*

Resolve 1999, chapter 121 creates a pilot program that gives members of the Maine National Guard a full grant of tuition at the University of Maine System, Maine Maritime Academy, the Maine Technical College System and any other Maine post-secondary education institution as long as the member maintains at least a 2.0 grade point average and serves in the Maine National Guard for at least one year after the tuition is granted. If a member attends the University of Maine System, Maine Maritime Academy or the Maine Technical College System then the member qualifies for in-state tuition rates.

Resolve 1999, chapter 121 was finally passed as an emergency measure effective May 5, 2000.

LD 2648

**An Act to Enter Into the International Emergency Management Assistance Compact**

**PUBLIC 696  
EMERGENCY**

<u>Sponsor(s)</u>	<u>Committee Report</u>	<u>Amendments Adopted</u>
DAGGETT TUTTLE	OTP-AM	S-631

LD 2648 proposed that the State adopt the International Emergency Management Assistance Compact. As proposed, this compact would provide a framework for mutual assistance between the New England states and the eastern provinces of Canada that adopt the compact in managing emergencies or disasters.

**Committee Amendment "A" (S-631)** proposed to add a fiscal note to the bill.

*Enacted law summary*

Public Law 1999, chapter 696 adopts the International Emergency Management Assistance Compact. The compact provides a framework for mutual assistance between the New England states and the eastern provinces of Canada that adopt the compact in managing emergencies or disasters.

Public Law 1999, chapter 696 was enacted as an emergency measure effective April 13, 2000.

LD 2663

**An Act Relating to Reporting Requirements for Political Action Committees on the Flexibility of the Commission on Governmental Ethics and Election Practices to Assess Penalties**

**PUBLIC 729**

<u>Sponsor(s)</u>	<u>Committee Report</u>	<u>Amendments Adopted</u>
	OTP-AM	S-666

LD 2663 proposed to make changes to the laws governing the filing of campaign finance laws by providing the Commission on Governmental Ethics and Election Practices with more flexibility to accept campaign finance reporting forms late without penalty when the reason is a valid emergency. The bill also proposed to make changes to the laws governing PACs in response to the ruling in Volle v. Webster, which stated that the \$50 threshold that defines someone as a PAC is too low considering the strict reporting requirements for PACs. The bill proposed to raise that threshold to \$1,500 and differentiate between PACs and individuals who solicit contributions and make expenditures for the purpose of influencing the outcome of a ballot question. The amendment also proposed to strike references to the \$1,000 limits on contributions to political candidates that were reduced with passage of the Maine Clean Election Act.

**Committee Amendment "A" (S-666)** proposed to make changes to the bill regarding the laws governing PACs in response to the ruling in Volle v. Webster. The amendment proposed to maintain the filing threshold at \$1,500 for persons whose major purpose is to solicit contributions and make expenditures for the purpose of influencing a ballot question. The amendment proposed to change the amount at which a person who is not defined as a PAC must itemize contributions and expenditures from \$1,500 to \$500. Any contribution or expenditure that is in excess of \$100 would have to be itemized under this amendment. The amendment also proposed to clarify that creation of or changes to the campaign finance reporting form must be done by rule. Such rules would be considered major substantive rules.

The amendment also proposed to add a fiscal note to the bill.

***Enacted law summary***

Public Law 1999, chapter 729 makes changes to the laws governing the filing of campaign finance forms by providing the Commission on Governmental Ethics and Election Practices with more flexibility to accept campaign finance reports late without penalty if the reason is a valid emergency. It also requires that any changes to the campaign finance reporting form be adopted by rule. These rules are considered major substantive rules.

In response to Volle v. Webster, this law changes the threshold at which persons or organizations that are considered Political Action Committees (PACs) must file an itemized report. Under this law, that amount is changed from \$50 to \$1500. Public Law 1999, chapter 729 also requires persons or organizations that are not considered PACs and solicit and receive contributions or make expenditures, other than by contribution to a political action committee, for the purpose of initiating, promoting, defeating or in any way influencing the outcome of a ballot question aggregating in excess of \$1500 to file a report with the Commission on Governmental Ethics and Election Practices. This report is less detailed than those required of PACs.

This law also provides that candidates who have filed a declaration of intent to become certified under the Maine Clean Election Act are not required to file whether or not they accept the voluntary limits on political expenditures. Candidates who do not intend to be certified under the Maine Clean Election Act are required to file this form stating whether or not they agree to limits on political expenditures.

## LD INDEX

LD 151.....	1	LD 2162 .....	14
LD 873.....	1	LD 2183 .....	15
LD 1035.....	2	LD 2195 .....	15
LD 1149.....	3	LD 2200 .....	16
LD 1201.....	3	LD 2292 .....	16
LD 1257.....	3	LD 2293 .....	16
LD 1438.....	5	LD 2298 .....	17
LD 1439.....	5	LD 2328 .....	18
LD 1504.....	5	LD 2329 .....	18
LD 1544.....	6	LD 2330 .....	18
LD 1644.....	7	LD 2349 .....	19
LD 1715.....	7	LD 2371 .....	20
LD 1728.....	8	LD 2407 .....	20
LD 1743.....	10	LD 2462 .....	21
LD 1796.....	10	LD 2503 .....	22
LD 1901.....	11	LD 2533 .....	22
LD 1932.....	11	LD 2548 .....	23
LD 2020.....	12	LD 2571 .....	24
LD 2032.....	12	LD 2576 .....	24
LD 2133.....	12	LD 2585 .....	25
LD 2141.....	13	LD 2648 .....	26
LD 2148.....	13	LD 2663 .....	26
LD 2153.....	13		