

MAINE STATE LEGISLATURE

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STATE OF MAINE
115TH LEGISLATURE

SECOND REGULAR SESSION

BILL SUMMARIES
JOINT STANDING COMMITTEE
ON
STATE AND LOCAL GOVERNMENT

MAY 1992

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**ONE HUNDRED AND FIFTEENTH LEGISLATURE
SECOND REGULAR SESSION**

**JOINT STANDING COMMITTEE
BILL SUMMARIES**

MAY 1992

This document is a compilation of the bill summaries prepared by this office for the Joint Standing Committees and Joint Select Committees of the Maine Legislature. The volume is organized alphabetically by committee; within each committee, the summaries are arranged by LD number. A subject index is provided at the beginning of each committee's summaries.

All adopted amendments are listed, by paper number (e.g., H-584 or S-222), together with the sponsor for floor amendments. Final action on each bill is listed to the far right of the title. Various types of final action are abbreviated as follows:

PUBLIC XXX	Chapter # of enacted Public Law
P&S XXX	Chapter # of enacted Private & Special Law
RESOLVE XXX	Chapter # of enacted Resolve
CON RES XXX	Chapter # of Constitutional Resolution passed by both Houses
EMERGENCY	Enacted law takes effect sooner than 90 days
CARRIED OVER	Bill carried over to Special Session
ONTP	Ought Not to Pass report accepted
LVWD	Leave to Withdraw report accepted
INDEF PP	Bill Indefinitely Postponed
FAILED EMERGENCY ENACTMENT	Emergency bill failed to get 2/3 vote
DIED BETWEEN BODIES	House and Senate disagree; bill died
CONF CMTE UNABLE TO AGREE	Committee of Conference formed but unable to agree
VETO SUSTAINED	Legislature filed to override Governor's Veto
UNSIGNED	Not signed by Governor within 10 days
DIED ON ADJOURNMENT	Action incomplete when session ended; bill died

These summaries were prepared by the analyst or analysts assigned to the committee. But, this document was produced by the efforts of all the office staff, including secretaries: Charlene Raymond and Valarie Parlin, especially Laurette Knox who coordinated preparation of the overall document.

If you have any suggestions or comments on these summaries, please let us know.

LD 2188 An Act to Extend the Reporting Date of the Commission to Study State Permitting and Reporting Requirements

**PUBLIC 772
EMERGENCY**

SPONSOR(S)
KILKELLY

COMMITTEE REPORT
OTP

AMENDMENTS ADOPTED

SUMMARY

This bill extended the reporting date of the Commission to Study State Permitting and Reporting Requirements.

LD 2199 An Act to Clarify Responsibility for Workers' Compensation Coverage for Town Forest Fire Wardens and Laborers Hired for Forest Fire-fighting Activities

**PUBLIC 753
EMERGENCY**

SPONSOR(S)
BAILEY H
STEVENS P

COMMITTEE REPORT
OTP-AM

AMENDMENTS ADOPTED
H-1060

SUMMARY

This bill clarified the responsibility for providing workers' compensation coverage for town forest fire wardens and laborers hired for forest fire-fighting activities. The office of the Attorney General had advised that town forest fire wardens and laborers hired for forest fire-fighting activities were considered state employees for workers' compensation purposes even when doing town rather than state business.

Committee amendment A (H-1060) placed the new language in Title 39 rather than Title 12. The amendment also changed the method of identifying the entity responsible for workers' compensation costs: the responsible entity was identified by determining whether the municipality or the State was in actual control of the fire suppression activities. The term "actual control" was defined in the amendment.

LD 2211 An Act to Amend the State's Unclaimed Property Act

PUBLIC 756

SPONSOR(S)
GWADOSKY

COMMITTEE REPORT
OTP-AM

AMENDMENTS ADOPTED
H-1073

SUMMARY

The bill permitted the State to recover unclaimed property at issue in Delaware v. New York, No. 111 Original, pending before the United States Supreme Court. The bill covered security dividends, interest and distributions under circumstances when there is no last known address of the unclaimed property owner and authorized recovery of owner-unknown unclaimed distributions irrespective of the test the United States Supreme Court finally adopts to define the location of issuers of securities. Existing law may not have permitted recovery from most out-of-state security holders when those holders did not originate or issue the unclaimed funds and were merely intermediaries.

A dormancy period of 3 years, congruent with that of New York, was established by the bill. The bill applied to property held at the date of or after enactment, regardless of when the property became abandoned. This provision was included to prevent disputes regarding the state's plans to recover its share of funds taken by New York prior to enactment of the bill.

Committee amendment A (H-1073) clarified that the bill did not cover any type of property already addressed by existing state law.