

# 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 scanned originals with text recognition applied  
(searchable text may contain some errors and/or omissions)

**STATE OF MAINE  
116TH LEGISLATURE**

**FIRST REGULAR SESSION**

**BILL SUMMARIES  
JOINT STANDING COMMITTEE  
ON  
STATE AND LOCAL GOVERNMENT**

**JULY 1993**

***Staff:***

***Roy Lenardson, Legislative Analyst  
David C. Elliott, Principal Analyst***

***Office of Policy and Legal Analysis  
Room 101, State House Station 13  
Augusta, ME 04333  
(207)287-1670***

***MEMBERS:***

***\*Sen. Georgette B. Berube  
Sen. Donald E. Esty, Jr.  
Sen. Jeffrey H. Butland***

***\*Rep. Ruth Joseph  
Rep. Marge L. Kilkelly  
Rep. Glenith C. Gray  
Rep. Lucien A. Dutremble  
Rep. Douglas J. Ahearne  
Rep. G. Steven Rowe  
Rep. Ellen W. Walker  
Rep. Theone F. Look  
Rep. Richard A. Bennett  
Rep. Paul R. Young***

***\*Denotes Chair***

MARTHA E. FREEMAN, DIRECTOR  
WILLIAM T. GLIDDEN, JR., PRINCIPAL ANALYST  
JULIE S. JONES, PRINCIPAL ANALYST  
DAVID C. ELLIOTT, PRINCIPAL ANALYST  
MARION HYLAN BARR  
JON CLARK  
LISA COPENHAVER  
DEBORAH C. FRIEDMAN  
MICHAEL D. HIGGINS  
JILL IPPOLITI



JOHN B. KNOX  
ROY W. LENARDSON  
PATRICK NORTON  
JANE ORBETON  
MARGARET J. REINSCH  
PAUL J. SAUCIER

JOHN G. KELLEY, RESEARCHER  
DARLENE A. SHORES LYNCH, RESEARCHER  
CARRIE C. McFADDEN, RESEARCHER

STATE OF MAINE  
OFFICE OF POLICY AND LEGAL ANALYSIS  
ROOM 101/107/135  
STATE HOUSE STATION 13  
AUGUSTA, MAINE 04333  
TEL: (207) 287-1670  
FAX (207) 287-1275

**ONE HUNDRED AND SIXTEENTH LEGISLATURE  
FIRST REGULAR SESSION**

**JOINT STANDING COMMITTEE  
BILL SUMMARIES**

**JULY 1993**

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.

The committee report or reports, the prime sponsor for each bill and the lead co-sponsor in each house if one has been designated are listed below each bill title. 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 right of the title. Various types of final action are abbreviated as follows:

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

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.

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

4693NRG

currently serving in those positions may continue to serve until the next Governor takes office after the next election for Governor.

The amendment (S-55) replaces the original bill and provides for the renomination and reconfirmation of cabinet-level commissioners in the executive branch at the beginning of each term of the Governor.

**LD 287      An Act Concerning the Clerk-of-the-works      PUBLIC 339**

<b>SPONSOR(S)</b>	<b>COMMITTEE REPORT</b>		<b>AMENDMENTS ADOPTED</b>	
CAMPBELL	ONTP	MAJ	H-382	
AMERO	OTP-AM	MIN	S-241	BUTLAND

**SUMMARY**

This bill designates the owner as the employer of the clerk-of-the-works and subjects the clerk to approval by the owner before being hired.

The committee amendment (H-382) removes the clarification that the clerk is hired by the owner, removes the word "directly" and removes the approval of the clerk by the owner, because in the new language the owner is involved in the interview process.

The Senate amendment (S-241) clarifies that the clerk-of-the-works reports to the architect or engineer of record on a project but requires that the owner be given reports of all project correspondence. The amendment also clarifies that the architect or engineer of record for a project may discipline or terminate a clerk after consultation with the owner.

**LD 291      An Act to Restrict the Use of State Facilities      PUBLIC 71**

<b>SPONSOR(S)</b>	<b>COMMITTEE REPORT</b>	<b>AMENDMENTS ADOPTED</b>
LEMKE	OTP-AM	H-93

**SUMMARY**

This bill prohibits the State from hiring consultants who have clients whose interests may conflict with the those of the State. The bill also prohibits a consultant from using state facilities as a primary base of operation.

The committee amendment (H-93) replaces the original bill and places restrictions on the use of state facilities and state property by consultants.

**LD 316      An Act to Amend the Laws Governing Convening of Town Meetings      ONTP**

<b>SPONSOR(S)</b>	<b>COMMITTEE REPORT</b>	<b>AMENDMENTS ADOPTED</b>
PEARSON O'DEA	ONTP	

**SUMMARY**

Currently, municipalities are required to elect a moderator to supervise voting. This bill allows the town clerk or other person authorized by the municipal officers to perform this function and the moderator to be elected as part of the regular meeting.