

MAINE STATE LEGISLATURE

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**STATE OF MAINE
116TH LEGISLATURE**

FIRST REGULAR SESSION

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

JULY 1993

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**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&S XXX</i>	<i>Chapter # of enacted Private & 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 & 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

LD 461 **An Act to Require Legislative Confirmation of the Director of the Maine Drug Enforcement Agency** **DIED BETWEEN BODIES**

SPONSOR(S)	COMMITTEE REPORT	AMENDMENTS ADOPTED
LEMKE	ONTP MAJ	
	OTP-AM MIN	

SUMMARY

This bill makes the position of Director of the Maine Drug Enforcement Agency subject to review by the Joint Standing Committee on Judiciary and to confirmation by the Legislature. This bill applies to the person currently holding the position of director.

LD 463 **An Act to Require the Provision of Local Law Enforcement** **ONTP**

SPONSOR(S)	COMMITTEE REPORT	AMENDMENTS ADOPTED
FARNUM	ONTP	

SUMMARY

This bill provides that when towns become populous enough to warrant their own police services, the municipality will provide them from their funds. Currently, these towns may fail to provide or eliminate their police departments and the other towns of the county or state bear the additional costs to the county sheriffs and State Police of providing services to towns large enough to warrant local law enforcement.

LD 464 **An Act to Amend the Procedure for Settling Disputes on Construction Contract Claims** **PUBLIC 49**

SPONSOR(S)	COMMITTEE REPORT	AMENDMENTS ADOPTED
CAMPBELL	OTP-AM	H-46

SUMMARY

This bill repeals the requirement that all disputes arising out of the performance of state construction contracts be resolved through binding arbitration conducted by the American Arbitration Association. The bill authorizes the Director of the Bureau of General Services to agree to send those disputes either to informal mediation, to binding arbitration, or both, and the director makes the decision regarding the choice of the mediation or arbitration.

The committee amendment (H-46) replaces the word "may" with the word "must," which gives the director discretion on which type of method to use to settle a dispute, not whether or not to use it. The amendment also replaces "informal mediation" with "alternative dispute resolution." The amendment adds a new sentence that gives the State and a contractor the opportunity to use binding arbitration if dissatisfied. Finally, the amendment adds a fiscal note.

LD 468 **Resolve, Creating the Kennebec County Law Enforcement Examination Commission** **RESOLVE 39 EMERGENCY**

SPONSOR(S)	COMMITTEE REPORT	AMENDMENTS ADOPTED
VIGUE	OTP-AM MAJ	H-68
CAREY	ONTP MIN	S-356 PEARSON

SUMMARY

This resolve establishes a 7-person Kennebec County Law Enforcement Examination Commission to review law enforcement services in Kennebec County. The commission is directed to determine whether county law enforcement services are duplicated by state or municipal law enforcement agencies, resulting in unnecessarily high property taxes within Kennebec County. The commission reports to the board of commissioners for Kennebec County and the Kennebec County Advisory Budget Committee.

The committee amendment (H-68) adds an emergency preamble, an emergency clause and a fiscal note to the resolve.

The Senate amendment (S-356) adds a mandate preamble and a fiscal note indicating the State is exempted from paying the additional local costs as this resolve is enacted by a 2/3 vote in both houses pursuant to the Constitution.

LD 469 An Act to Limit the Number of Bills That May Be Filed by a ONTP
Legislator

SPONSOR(S)	COMMITTEE REPORT	AMENDMENTS ADOPTED
LIBBY J L	ONTP MAJ	
	OTP-AM MIN	

SUMMARY

This bill limits the number of bills that a Legislator may sponsor during each legislative session but allows an exception for the number of bills that may be submitted by the Governor and the Executive Department.

LD 471 Resolve, Renaming Ames Cove of Friendship as Flood's Cove RESOLVE 3

SPONSOR(S)	COMMITTEE REPORT	AMENDMENTS ADOPTED
SIMONEAU	OTP	
BEGLEY		

SUMMARY

This resolve renames Ames Cove in Friendship as Flood's Cove. Although locally known as Flood's Cove since being purchased by the Flood family 90 years ago, it legally has retained the name of its former owner. This resolve will bring the legal name into conformance with local custom.

LD 502 RESOLUTION, Proposing an Amendment to the Constitution of ONTP
Maine to Modify Terms of Office for Senators and Members
of the House of Representatives

SPONSOR(S)	COMMITTEE REPORT	AMENDMENTS ADOPTED
GRAY	ONTP	

SUMMARY

This constitutional resolution changes Legislators' terms to 4 years following the general election in 1994. The Legislature meets every year, but the business in the 4th year is restricted as it presently is in the 2nd year.