

MAINE STATE LEGISLATURE

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**STATE OF MAINE
118TH LEGISLATURE**

**FIRST REGULAR SESSION
AND
FIRST SPECIAL SESSION**

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

JULY 1997

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ONE HUNDRED EIGHTEENTH LEGISLATURE
FIRST REGULAR AND FIRST SPECIAL SESSIONS

Summary Of Legislation Before The Joint Standing Committees
August 1997

We are pleased to provide this summary of bills that were considered by the 15 Joint Standing Committees of the Maine Legislature staffed by this office. The document is a compilation of bill summaries which describe each bill, committee amendments and other relevant amendments, as well as the final action taken on the bill. 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 handled by the joint standing committees. It is organized alphabetically by committees 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).

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:

<i>CARRIED OVER</i>	<i>Bill carried over to Second Regular Session</i>
<i>CON RES XXX</i>	<i>Chapter # of Constitutional Resolution passed by both Houses</i>
<i>CONF CMTE UNABLE TO AGREE</i>	<i>Committee of Conference unable to agree; bill died</i>
<i>DIED BETWEEN BODIES</i>	<i>House & Senate disagree; bill died</i>
<i>DIED IN CONCURRENCE</i>	<i>One body accepts ONTP report; the other indefinitely postpones the bill</i>
<i>DIED ON ADJOURNMENT</i>	<i>Action incomplete when session ended; bill died</i>
<i>EMERGENCY</i>	<i>Enacted law takes effect sooner than 90 days</i>
<i>FAILED EMERGENCY ENACTMENT/FINAL PASSAGE</i>	<i>Emergency bill failed to get 2/3 vote</i>
<i>FAILED ENACTMENT/FINAL PASSAGE</i>	<i>Bill failed to get majority vote</i>
<i>FAILED MANDATE ENACTMENT</i>	<i>Bill imposing local mandate failed to get 2/3 vote</i>
<i>INDEF PP</i>	<i>Bill Indefinitely Postponed</i>
<i>ONTP</i>	<i>Ought Not To Pass report accepted</i>
<i>OTP ND</i>	<i>Committee report Ought To Pass In New Draft</i>
<i>OTP ND/NT</i>	<i>Committee report Ought To Pass In New Draft/New Title</i>
<i>P&S XXX</i>	<i>Chapter # of enacted Private & Special Law</i>
<i>PUBLIC XXX</i>	<i>Chapter # of enacted Public Law</i>
<i>RESOLVE XXX</i>	<i>Chapter # of finally passed Resolve</i>
<i>UNSIGNED</i>	<i>Bill held by Governor</i>
<i>VETO SUSTAINED</i>	<i>Legislature failed to override Governor's Veto</i>

Please note the effective date for all non-emergency legislation enacted in the First Regular Session (unless otherwise specified in a particular law) is June 26, 1997 and September 19, 1997 for the First Special Session.

David E. Boulter, Director
 Offices Located in the State House, Rooms 101/107/135

<u>Sponsor(s)</u>	<u>Committee Report</u>	<u>Amendments Adopted</u>
CAMPBELL PENDLETON P	OTP-AM MAJ ONTP MIN	H-120

LD 517 proposed to require a person, municipality, corporation or any other entity that controls a cemetery to establish a permanent care and improvement fund, the income from which must be devoted to cemetery maintenance. At least 30% of the proceeds received from the sale of lots and plots in the cemetery must be deposited in this fund. A family burying ground would be exempt from the requirements of the bill.

Committee Amendment "A" (H-120) proposed to rename the fund for the maintenance of cemeteries the cemetery perpetual care fund, provide that the fund is to be used only for the maintenance of the cemetery and not for major improvements, and provide that only private owners of cemeteries are required to establish the fund. The amendment also, proposed to exempt the sale of cemetery plots that are subject to a contract for perpetual care that is at least as stringent as the provisions of the bill.

Enacted law summary

Public Law 1997, chapter 140 requires any private entity that controls a cemetery, except a family burying ground, to establish a cemetery perpetual care fund, the income from which is to be used for maintenance of the cemetery. At least 30% of the proceeds from the sale of plots in the cemetery must be deposited in the fund. The sale of plots that are subject to a contract for perpetual care that is at least as stringent as the law are exempt from also contributing to the fund.

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

LD 534 proposed to require that Legislators covered under a group health insurance plan or dental insurance plan for Legislators contribute 20% of the insurance premium. The bill also proposed to give Legislators the option of receiving the cash value of the insurance benefits in lieu of the state contribution.

Committee Amendment "A" (H-326), which was not adopted, replaced the original bill for the purpose of incorporating Public Law 1997, chapters 24 and 80 in order to avoid a conflict. The amendment did not change the original intent of the bill, which would have required Legislators to pay 20% of the premium for health and dental insurance coverage. The amendment also retained the provision that allowed Legislators the option of receiving the cash value of the insurance benefits in lieu of the state contribution.