

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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Sen. James D. Libby

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Maine State Legislature

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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:

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

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

LD 834 proposed to establish minimum qualifications for candidates for election or appointment to the office of county sheriff, including the requirement that candidates be currently certified by the Maine Criminal Justice Academy as a law enforcement or corrections officer. Persons serving in the office of sheriff on the effective date of enactment would be "grandfathered," or deemed to meet these minimum qualifications. See also LD 133.

LD 855 **Resolve, to Convene a Legislative Employee Salary Review Committee** **ONTP**

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

LD 855 proposed that the Secretary of the Senate, the Clerk of the House of Representatives and the Executive Director of the Legislative Council collect information about the pay and benefits for legislative employees of other states and report that information to the Second Regular Session of the 118th Legislature.

LD 863 **An Act to Amend the North Yarmouth-Cumberland Town Line** **P & S 10 EMERGENCY**

<u>Sponsor(s)</u>	<u>Committee Report</u>	<u>Amendments Adopted</u>
TAYLOR BUTLAND	OTP-AM	H-86

LD 863 proposed to correct inconsistencies in the boundary line between the Town of Cumberland and the Town of North Yarmouth. The bill also authorized Cumberland's municipal sewer system to maintain sewer lines on Shady Run Lane, Greely Road and Greely Road Extension, which now may be in the Town of North Yarmouth.

Committee Amendment "A" (H-86) added a mandate preamble to the bill.

Enacted law summary

Private and Special Law 1997, chapter 10 corrects inconsistencies in the boundary line between the Town of Cumberland and the Town of North Yarmouth. The bill also authorized Cumberland's municipal sewer system to maintain sewer lines on Shady Run Lane, Greely Road and Greely Road Extension, which now may be in the Town of North Yarmouth. Chapter 10 was enacted as an emergency measure effective April 14, 1997.

LD 865 **An Act Regarding the Self-governance of Biddeford Pool** **DIED IN CONCURRENCE**

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

LD 865 proposed to authorize the incorporation of the Town of Biddeford Pool if the legal residents of Biddeford Pool, by referendum, approved separation from the City of Biddeford and incorporation as a separate town.

Committee Amendment "A" (H-698) would have replaced the bill. Rather than authorizing Biddeford Pool to secede from the City of Biddeford, it would have authorized the residents of Biddeford Pool to form a village corporation with responsibility for roads, sidewalks, water drainage, oversight of the public park at Vines' Landing, removal of solid waste, police services and regulation of land use, including subdivision and zoning regulations. Current City of Biddeford ordinances regarding traffic, parking or use of the harbor would have continued to apply in the village corporation territory, but any changes to those ordinances would apply only if agreed to by the overseers of the corporation. The city would have been required to transfer 31% of revenue from property taxes collected within the village corporation territory to the corporation. In addition, in the first transfer after incorporation, the city would have been required to provide a supplemental 2% transfer to enable the corporation to build a reserve fund for emergencies and unanticipated expenses.

The corporation would have been managed by a village administrator, a board of overseers comprised of three or five elected persons and other officers or committees called for by the corporate bylaws. All persons who reside in the limits of the corporation and who are legal voters in the City of Biddeford would have been able to vote at meetings of the corporation. The amendment would have provided for approval of the charter at any time within two years of its approval by the Governor.

LD 875 An Act to Require Legislative Confirmation of the Director of the Office of Substance Abuse ONTP

<u>Sponsor(s)</u> BENOIT	<u>Committee Report</u> ONTP	<u>Amendments Adopted</u>
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LD 875 proposed to change the position of Director of the Office of Substance Abuse from an office appointed by the Commissioner of Mental Health, Mental Retardation and Substance Abuse Services to an office appointed by the Governor subject to confirmation by the Legislature.

LD 877 RESOLUTION, Proposing an Amendment to the Constitution of Maine to Clarify the Process for Inclusion of a Competing Measure FAILED FINAL PASSAGE

<u>Sponsor(s)</u> BUTLAND	<u>Committee Report</u> OTP-AM	<u>Amendments Adopted</u>
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LD 877 proposed an amendment to the Constitution of Maine to clarify that a legislative act is considered a "competing measure" to a citizen-initiated measure only if it is approved in the same session in which the citizen-initiated measure was presented. It also would have provided that, if an election is pending after final adjournment of the session in which the initiated measure was presented, the Legislature would be prohibited from enacting law on the same subject matter as the measure to be voted on, until the vote has been completed.