

# 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**

**MEMBERS:**

*Sen. John M. Nutting, Chair*

*Sen. Jill M. Goldthwait*

*Sen. James D. Libby*

*Rep. Douglas J. Ahearne, Chair*

*Rep. William Lemke*

*Rep. Lucien A. Dutremble*

*Rep. Martha A. Bagley*

*Rep. Laura Sanborn*

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*Rep. Robert F. Fisk, Jr.*

*Rep. Susan Kasprzak*

*Rep. Belinda A. Gerry*

**Staff:**

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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](http://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

Resolve 1997, chapter 64 establishes the Maine Commission on Outstanding Citizens to designate outstanding Maine Citizens to be honored by display of a portrait in the State House.

**LD 1612**                      **Resolve, Concerning the Construction of a State Playground at Capitol Park**                      **ONTP**

<u>Sponsor(s)</u> O'BRIEN		<u>Committee Report</u> ONTP		<u>Amendments Adopted</u>
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LD 1612 proposed to establish the Commission to Study the Feasibility of Constructing a Playground at Capitol Park.

**LD 1635**                      **An Act to Make Changes to the Official Maine State Symbols**                      **ONTP**

<u>Sponsor(s)</u> PINGREE		<u>Committee Report</u> ONTP      MAJ OTP      MIN		<u>Amendments Adopted</u>
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LD 1635 proposed to established the seal currently in use by the Secretary of State as the official state seal and to establish the same design as the official coat of arms. It proposed to establish the flag adopted by the Legislature in 1901 as the official state flag. That flag had a buff background, with a blue star in the left corner and a large pine tree in the middle. This flag would also be used as the state merchant and marine flag. The bill would have established the design currently in use as the state flag as the official flag of the Governor. This flag would also be carried by the Maine National Guard with the addition of an inscription "Maine National Guard."

**LD 1720**                      **An Act to Repeal the Requirement That Victualers Be Licensed by a Municipality**                      **PUBLIC 446**

<u>Sponsor(s)</u> GOLDTHWAIT		<u>Committee Report</u> OTP		<u>Amendments Adopted</u>
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LD 1720 proposed to repeal the requirement that a victualer be licensed by a municipality, because eating establishments are also required to be licensed by the Department of Human Services, which has detailed licensing standards and an extensive inspection system which is enforced by the state or by a municipality if it meets certain criteria.

***Enacted law summary***

Public Law 1997, chapter 446 repeals the requirement that a victualer be licensed by a municipality, because eating establishments are also required to be licensed by the Department of Human Services, which has detailed licensing

standards and an extensive inspection system which is enforced by the state or by a municipality if it meets certain criteria.

**LD 1733**                      **An Act to Allow Municipalities the Option to Require Residency for Those Who Submit Major Budget Requests to the Municipality**                      **ONTP**

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

LD 1733 proposed to allow municipalities to require residency in the municipality for officials and employees who submit major budgetary requests for the municipality. During deliberations on the bill, the committee concluded that the bill was unnecessary because current law permits such requirements to be imposed on the categories of municipal officials who would have been affected by the bill.

**LD 1759**                      **An Act to Create the Maine Governmental Facilities Authority**                      **PUBLIC 523**

<u>Sponsor(s)</u>	<u>Committee Report</u>	<u>Amendments Adopted</u>
NUTTING	OTP-AM    MAJ	H-737    DONNELLY
AHEARNE	ONTP        MIN	S-297
		S-336    NUTTING

LD 1759 proposed the establishment of the Maine Governmental Facilities Authority for the purpose of financing the renovation or construction of state and judicial department facilities. The bill proposed to incorporate the existing provisions of the Maine Court Facilities Authority Act and permits the Maine Governmental Facilities Authority to finance state facilities as well as court facilities. The bill required that each issuance of securities by the Maine Governmental Facilities Authority be approved by the Legislature.

**Committee Amendment "A" (S-297)** added a fiscal note to the bill.

**House Amendment "A" (H-737)** proposed the following:

1. It required a two-thirds vote of approval in each House of the Legislature prior to the issuance of any securities;
2. It lowered the debt ceiling from \$70,000,000 to \$60,000,000 and allocated \$30,000,000 of that lower amount for the Judicial Branch; and
3. It added a requirement that the Commissioner of Administrative and Financial Services submit a plan by January 15, 1998 that describes a method to finance the Maine Governmental Facilities Authority debt service and related costs.

**Senate Amendment "A" (S-336)** proposed to eliminate the power of eminent domain from the proposed Maine Governmental Facilities Authority.

*Enacted law summary*