

# 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  
ONE HUNDRED AND TWELFTH LEGISLATURE  
FIRST REGULAR SESSION

JOINT STANDING COMMITTEE ON  
STATE GOVERNMENT  
BILL SUMMARY



JULY, 1985

Prepared by:

Ted Potter, Legislative Assistant  
Office of Legislative Assistants  
State House, Station 13      Augusta, Maine 04333  
(207) 289-1670



STATE LAW LIBRARY  
1000 STATE HOUSE STATION  
AUGUSTA, MAINE 04333

HELEN T. GINDER, DIRECTOR  
HAVEN WHITESIDE, ASST. DIRECTOR  
GILBERT W. BREWER  
DAVID ELLIOTT  
MARTHA FREEMAN  
CHRISTOS GIANOPOULOS  
WILLIAM T. GLIDDEN, JR.

STATE OF MAINE  
OFFICE OF LEGISLATIVE ASSISTANTS  
ROOM 101  
STATE HOUSE, STATION 13  
AUGUSTA, MAINE 04333  
TEL.: (207) 289-2486

SARAH HOOKE  
JULIE S. JONES  
JOHN B. KNOX  
EDWARD POTTER  
MARGARET J. REINSCH  
LARS RYDELL  
JOHN SELSER  
ANDREA COLNES, RES. ASST.

ONE HUNDRED AND TWELFTH LEGISLATURE  
FIRST REGULAR SESSION

JOINT STANDING COMMITTEE  
BILL SUMMARIES  
JULY 1985

This document is a compilation of the bill summaries prepared by this office for the Joint Standing Committees of the Maine Legislature, covering the First Regular Session of the 112th Legislature. The summaries are arranged by LD number and indexed separately by committee.

B. Authorizes the Maine State Housing Authority to accept funds from any source for housing programs and projects. Currently, the MSHA is authorized to accept "...federal funds or other assistance...."

C. Authorizes the MSHA to purchase, sell, invest in, trade, etc., federal mortgage credit certificates

D. Authorizes the MSHA to construct, rehabilitate, or improve homeless shelter facilities related to an institution licensed by the Department of Human Services (Section 7 of the bill)

E. Increases the ceiling on moral obligation bonds from \$435,000,000 to \$635,000,000 (Section 9 of the bill)

F. Increases the ceiling on non-moral obligation bonds from \$200,000,000 to \$300,000,000 (Section 9 of the bill)

G. Authorizes the State of Maine to tax Maine State Housing Authority taxable bonds as the federal government is authorized to do;

H. Requires the computation of the outstanding value of bonds due to bond holders be computed to reflect the actual or accounting balance due at the time the computation is required to be made. Currently, bonds that appreciate over a 20 year period until they mature are computed in value at the 20 year value (full value) rather than the proportional or actual year value of the bonds.

The Committee amended the bill to make some technical corrections and minor revisions. The amendment also allows the Authority to issue unrated non-moral obligation bonds to one or more financial institutions which intend to purchase the entire issue without the intent to resell the bonds.

<b>LD:</b>	<b>616</b>	AN ACT PERTAINING TO LAW ENFORCEMENT OFFICERS AND PUBLIC OFFICE HOLDING	STROUT PEARSON SOUCY
ND:	32		
		HOUSE Enacted SENATE Enacted GOV SIGNED	PUBLIC CH # 56
H-14 S-8	HA SA	HIGGINS L PEARSON	H S

SUMMARY:

The original bill, LD 32, authorized the State Police to hold non-partisan office while remaining in their position as a State Police officer. currently, a State Police officer is prohibited from running for public

office while remaining in his/her position with the State Police.

Current law does not treat all law enforcement officers equally. Wardens with the Department of Inland Fisheries and Wildlife Wildlife may not hold a public office that provides compensation to the office holder. There are no statutory restrictions on Marine Patrol officers or liquor inspectors with respect to office holding.

All law enforcement officers on the state level are prohibited from running in partisan elections for public office. In order to run for a partisan public office, the officer would have to resign from his/her law enforcement position.

The Committee passed the bill in new draft to resolve some of the issues raised by the original bill, LD 32. One issue concerned solitation for contributions for political (non-partisan) office. A law enforcement officer may not have to use his official position to obtain votes for political office. The knowledge of his position to some may be sufficient "pressure" to contribute.

Another example is a liquor inspector soliciting monies from retail stores that sell beer and wine, and restaurant owners with liquor licenses. In this case, the licensees may feel obliged to contribute to the liquor inspector's campaign for non-partisan office.

In a situation vaguely similar to this situation, a state employee may not run for the State Legislature unless he or she resigns. Thus, a supervisor in state government cannot use his position, even unofficially, to intimidate those who work under him/her into supporting the supervisor.

The new draft subjects all law enforcement officers to the same conditions with respect to campaigns for nonpartisan public office. The new draft seeks to protect the general public from the potential abuse of power that could occur as the result of law enforcement officers who campaign for nonpartisan public office. The new draft, while allowing a law enforcement officer to run in a nonpartisan election for the town or city council, school board or similar position, provides for the protection of the general public from the greater opportunity for the abuse of authority that resides with a law enforcement position as compared to many other types of occupational and professional positions.

To accomplish this purpose, the new draft:

1. Allows the State Police, currently prohibited from

running for public office, to run for nonpartisan public office. This privilege is currently enjoyed by all other law enforcement officers except the State Police;

2. Prohibits any law enforcement officer from soliciting funds from any campaign for public office while dressed in uniform or wearing a law enforcement officer's badge;

3. Prohibits a law enforcement officer from personally soliciting funds for any campaign for nonpartisan office but allows any other person to solicit funds for the officer's campaign; and

Prohibits a law enforcement officer from coercing contributions for any nonpartisan or partisan campaign.

Law enforcement officers are prohibited from using their official position to influence or interfere with an election. The penalty for violation of these provisions is a Class E crime.

LD: 628 RESOLUTION, PROPOSING AN AMENDMENT TO THE CONSTITUTION OF MAINE TO REQUIRE THAT LOCAL UNITS OF GOVERNMENT BE REIMBURSED FOR THE COSTS INCURRED IN EXECUTING STATE-MANDATED PROGRAMS WEBSTER M JACKSON BELL

HOUSE Ref'd to Committee  
SENATE Ref'd to Committee  
GOV

SUMMARY:

LD 628 proposes to prohibit the Legislature and the Executive branch from enacting any law or adopting or amending any rule that would impose a new or expanded requirement on any municipality or local governing unit that requires a new or increased municipal or local unit expenditure unless the State reimburses the municipality or local governing unit. If the total sum of all the proposed new or required expenditures do not exceed \$100,000, the State is not required to reimburse the municipalities or local governing units.

The Committee voted to hold the bill to the Second Regular Session in 1986. The bill raises a number of issues and questions that could not be readily resolved.

A. Local units of government.

The phrase, "local units of government," is not defined. Unlike the term "municipality" which is defined in 30 MRSA §1901, sub-§6, "local units of government" can be interpreted to include school administrative districts, utility districts, etc. Since the resolution proposes to amend the Maine Constitution and to produce a substantial