

# MAINE STATE LEGISLATURE

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STATE OF MAINE  
ONE HUNDRED AND TWELFTH LEGISLATURE  
FIRST REGULAR SESSION

JOINT STANDING COMMITTEE ON  
STATE GOVERNMENT  
BILL SUMMARY



JULY, 1985

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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.

SUMMARY:

LD 740 proposed that the Maine Legislature adopt a Joint Resolution requesting Congress to call a Constitutional Convention to propose a Constitutional Amendment Requiring a Balanced Federal Budget. The budget would be balanced except in time of war or except when 3/5 of the elected members of each house agree to an "unbalanced" budget. The resolution would be void in the event that the Constitutional Convention addressed any other issues.

Opponents to the Resolution feared that a Constitutional Convention could address an unlimited number of issues and thereby significantly alter the current constitution. The issues of abortion, school prayer, school bussing, etc. could become the central issues. In addition, the opponents were concerned that the resolutions passed in each state which call for a Constitutional Convention are not identical. The opponents, therefore, proposed a Joint Resolution requesting Congress to prepare an amendment requiring a balanced budget to be approved by the States. This resolution passed both Houses.

LD: 764 AN ACT CONCERNING FINANCING OF COMMERCIAL FISHING VESSELS UNDER ALL FINANCING PROGRAMS MANNING NADEAU G  
R OF THE FINANCE AUTHORITY OF MAINE

LV-WD HOUSE Accepted Committee Report  
SENATE Accepted Committee Report  
GOV

SUMMARY:

LD 764 proposed to establish criteria for FAME financing of fishing vessels. The criteria required:

- A. the commercial fishing vessel to be constructed in Maine,
- B. the commercial fishing vessel to operate from a base port in Maine,
- C. all the fish caught and stored in the vessel to be landed in Maine; and
- D. at least 80% of the total fish catch of the vessel to be landed in the State.

The purpose of the bill, according to the Statement of Fact, was to insure that fishing vessels financed by FAME are constructed in Maine, operate from a Maine port, and land and process fish in the State. This bill attempted to establish a public purpose for financing fishing vessels for which public monies are put at risk.

LD 764, like LD 548, is the product of an application to FAME for \$500,000 of financing under the Municipal Securities Approval Program (Portland). The applicant, whose vessel is being constructed out-of-state, intended to use the vessel along with 3 other existing vessels to fish off the Georges Bank.

Following the concern of a number of legislators, the hearing before FAME was postponed. Later, the applicant withdrew his application.

This bill, like LD 548, was withdrawn, and the issue has been addressed in LD 1118. The residency requirements of the bill, according to the Attorney General's Office are a clear violation of the Interstate Commerce Clause provisions in the U. S. Constitution.

In LD 1118, the Finance Authority of Maine is required to adopt rules which require that the financed vessel have minimal contact with the State of Maine.

|        |     |   |                               |
|--------|-----|---|-------------------------------|
| LD:    | 765 | RESOLVE, AUTHORIZING THE SALE OF STATE-OWNED LAND TO THE CRISIS AND COUNSELING CENTER | REEVES<br>HICKEY<br>PARADIS P |
| OTP-AM |     | HOUSE Finally Passed<br>SENATE Finally Passed<br>GOV SIGNED                           | RESOLVE<br>CH # 33            |
| H-178  | CA  |   | H S                           |

SUMMARY:

LD 765 proposed to transfer ownership to the building on Sewall Street from the State of Maine to the Crisis and Counseling Center which currently occupies the building. The Crisis and Counseling Center wants to make improvements to and enlarge the building. Since the property is located outside the Capital Planning District, there are no restrictions on the property.

The Committee amended the bill to read similarly to the provisions of LD 467 pertaining to the transfer of the former State Police barracks to the town of Wells. In addition, the title description in the original bill reflected the property boundaries prior to the construction of Wade Street and other property change.

By the provisions of Committee Amendment "A", the property transfer may be negotiated, or provided as a gift to the Counseling Center.