

# MAINE STATE LEGISLATURE

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STATE OF MAINE  
ONE HUNDRED AND TWELFTH LEGISLATURE  
SECOND REGULAR SESSION

JOINT STANDING COMMITTEE ON  
STATE GOVERNMENT  
BILL SUMMARY



MAY 1986

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BILL SUMMARIES  
MAY 1986

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

All Amendments are listed, by paper number (e.g., H-584 or S-222), together with the sponsor if it is a floor amendment or the designation "CA" if it is a committee amendment. If the amendment was adopted in the House, the letter H appears after the sponsor. If it was adopted in the Senate, the letter S appears.

Final action for each bill is listed to the right of the title. If final House action and Senate action differ, both are listed.

Key to Committee Reports and Floor Action:

OTP	Ought to Pass
OTP-ND	Ought to Pass in New Draft
OTP-ND-NT	Ought to Pass in New Draft, New Title
OTP-AM	Ought to Pass as Amended
ONTP	Ought Not to Pass
LVWD	Leave to Withdraw
INDEF PP	Indefinitely Postponed

The State Government Committee voted to defeat the bill following its deliberations during the Second Regular Session. The Committee was reluctant to provide for the construction of court facilities without approval of the citizens to be served by the facilities. In addition, the committee was very concerned about the ability of the Judiciary, through the Court Facilities Authority to construct facilities without review by the Executive or Legislative branches.

Another concern centered around the need for new facilities constructed at State expense. Since most court facilities are currently rented, a feasible alternative appears to use new or reconstructed facilities constructed by the private sector.

LD 1525 AN ACT TO ESTABLISH A MAINE-NEW HAMPSHIRE BOUNDARY COMMISSION PL 1985 c. 555

Sponsor: CROWLEY, Chalmers, Rolde  
Committee Report: OTP-AM

H-276 CA  
H-499 CB H S  
S-322 HICHENS

SUMMARY: LD 1525, proposing the creation of a Maine-New Hampshire Boundary Commission to establish a lateral marine boundary, was introduced during the First Regular Session of the 112th Legislature. The bill was held until the Second Regular Session. Similar legislation was vetoed by Governor Sununu of New Hampshire and the State Senate upheld his veto.

During the Second Regular Session, the State of New Hampshire indicated a willingness to pass similar legislation.

LD 1539 RESOLVE, CONCERNING THE OWNERSHIP OF LITTLE JEWELL ISLAND ND LD 2206

Sponsor: CLARK, N.  
Committee Report: OPT-ND-NT

SUMMARY: LD 1539 was introduced during the First Regular Session of the 112th Legislature. The bill was held by the Committee until the Second Regular Session. This resolve proposed to give ownership and title of Little Jewell Island to Mary Cushing Anderson of Freeport. Mrs. Anderson and her husband hoped to obtain ownership of the island in Casco Bay by adverse possession. The Andersons paid taxes on the buildings but not on the land to the Town of Cumberland. The Andersons did not purchase the Island but settled on it.

The State purchased the island 19 years following the Anderson's use of the Island and thereby terminated the efforts of the Andersons to gain ownership through adverse possession which requires 20 years of "squatters" use. The Andersons took their case to the Superior and the State Supreme Courts.

The Courts ruled against the Andersons and declared the State to be the legal owner of Little Jewell Island. As a result, the Andersons took their case to the State Legislature and sought to obtain ownership of the island by legislative transfer of the title.

Since the State used matching federal funds to purchase part of Jewell Island and all of Little Jewell Island for public recreational use transfer of title would invoke federal penalties. The alternative would be to find comparable property in lieu of Jewell and Little Jewell Islands.

During the Second Regular Session, the State Government Committee passed the bill in New Draft, LD 2206.

The new draft authorizes the Director of Parks and Recreation to lease all or a portion of Little Jewell Island to Mary Cushing Anderson for a period not to exceed 20 years and at a fee not to exceed \$400 per year. The director shall provide in the lease the conditions on which the lease is based, including allowable uses of the island. The lessee is prohibited from subleasing the island or from charging the general public for use of the island. In the event of the death of Mary Cushing Anderson prior to the termination of the 20-year lease, David Cushing, son of Mary Cusing Anderson, may execute the lease for the unexpired period of the lease.