

MAINE STATE LEGISLATURE

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REFERENCE

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STATE OF MAINE
ONE HUNDRED AND TWELFTH LEGISLATURE
SECOND SPECIAL SESSION
JUNE 1986
AND
THIRD SPECIAL SESSION
OCTOBER 1986

JOINT STANDING COMMITTEE

BILL SUMMARIES

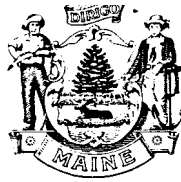


DECEMBER 1986

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[Law Library note: No explanatory memorandum was included with the bill summaries for the Second Special Session and the Third Special Session. The following is adapted from the explanatory memorandum for the Second Regular Session, 112th Legislature.]

ONE HUNDRED AND TWELFTH LEGISLATURE
SECOND SPECIAL SESSION
AND
THIRD SPECIAL SESSION

JOINT STANDING
COMMITTEE BILL
SUMMARIES
DECEMBER 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 Special Session and the Third Special 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

STATE GOVERNMENT

LD
2419

RESOLUTION, PROPOSING AN AMENDMENT TO THE
CONSTITUTION OF MAINE PROVIDING FOR FILLING A
VACANCY IN THE OFFICE OF GOVERNOR AFTER THE
CONVENING OF THE LEGISLATURE AND BEFORE THE
GOVERNOR-ELECT IS INAUGURATED

Sponsor: VIOLETTE, Perkins, Clark N, Gill
Committee Report: OTP-A

S-551 CA H S

SUMMARY: In 1978, the Constitution of Maine was amended changing the date for the convening of a newly-elected Legislature from the first Wednesday after the first Tuesday in January to the first Wednesday in December. The purpose of that change was to permit an orderly process by which the Legislature could elect its officers and organize committees. The first Wednesday after the first Tuesday in January was also the same day that a newly-elected Governor would be sworn into office.

Because of the 1978 amendment, if the incumbent Governor dies, resigns or otherwise leaves the office of the Governor from the date of the convening of the Legislature in December to the first Wednesday after the first Tuesday in January, a newly-elected President of the Senate or, if that office is vacant, a newly-elected Speaker of the House of Representatives would become Governor until the new Governor is sworn in.

Because the Constitution of Maine, Article III, Section 2, provides that no person or persons belonging to one of the "departments" of the State government (legislative, executive and judicial) may exercise any of the powers properly belonging to either of the others, except in cases expressly directed or permitted by the Constitution of Maine and because Article V, Part First, Section 14, does not contain language existing in Article V, Part First, Section 15, relating to temporary disabilities of the Governor, the President of the Senate or the Speaker of the House of Representatives would be required to resign his seat in the Senate or House of Representatives in order to temporarily act as Governor.

The effect of these provisions would necessitate the calling of a special election only shortly after the people had chosen that Senator or Representative. Such a result would be an unnecessary expenditure of state tax dollars.

The purpose of LD 2419 was to provide for a temporary accession to the office of the Governor by the President of the Senate or the Speaker of the House of Representatives in a manner similar to the constitutional provisions governing temporary disabilities of the Governor.

The bill was amended by the State Government Committee to make a minor technical change in the wording.

The bill failed to obtain approval in both houses which required a 2/3 vote of approval in each house.

LD AN ACT RELATING TO MEMBERSHIP ON THE MAINE-
2430 CANADIAN LEGISLATIVE ADVISORY COMMISSION

PL 1985
c. 809

Sponsor: VIOLETTE
Committee Report: OTP

SUMMARY: LD 2430 allows the President of the Senate to appoint an additional member to the Maine-Canadian Legislative Advisory Commission and thereby gives the Senate President the same number of appointments to the Commission as the Speaker of the House. The number of members of the commission is increased from 7 to 8.