

MAINE STATE LEGISLATURE

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STATE OF MAINE
ONE HUNDRED AND THIRTEENTH LEGISLATURE
FIRST REGULAR SESSION

JOINT STANDING COMMITTEE ON
STATE AND LOCAL GOVERNMENT
Part I State Government

BILL SUMMARY



JUNE 1987

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ONE HUNDRED AND THIRTEENTH LEGISLATURE
FIRST REGULAR SESSION

JOINT STANDING COMMITTEE
BILL SUMMARIES
JUNE 1987

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. The summaries are arranged by LD number under each committee.

All Adopted 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 "COMMITTEE" if it is a committee amendment.

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

Please let us know if you would prefer a different format or additional information and if the summaries are helpful.

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-A	Ought to Pass as Amended
ONTP	Ought Not to Pass
LVWD	Leave to Withdraw
INDEF PP	Indefinitely Postponed

LD AN ACT TO CLARIFY THE RIGHTS OF FORMER STATE
613 EMPLOYEES WHO WERE TRANSFERRED TO THE MAINE
VOCATIONAL-TECHNICAL INSTITUTE SYSTEM

PL 1987
c. 301

Sponsor: HANDY, Matthews, K., Hichborn, Pray
Committee Report: OTP-A
Amendments Adopted:
H-208 COMMITTEE

SUMMARY: LD 613 proposed to extend from 2 years to the duration of their employment at the vocational technical institutes, the seniority rights and privileges and all other rights and privileges of employees of the Maine Vocational Technical Institutes as provided in their collective bargaining agreements.

The intent of the bill was to grandfather the right of state employees of the Maine Vocational Technical Institute System (MVTI's) to transfer back into state service as classified state employees as long as they remain with the MVTI's.

In making the VTI System an independent state agency, the State Legislature provided that state employees of the VTI System would keep their rights, benefits and privileges for a period of 2 years following the creation and operation of the VTI System. These rights and benefits include rights and benefits that had been negotiated in collective bargaining agreements prior to the creation of the VTI System.

The bill was amended to extend the current protection afforded to the employees of the VTI system to July 1, 1989.

LD RESOLVE, TO ESTABLISH A NEW COMMISSION ON
626 MAINE'S FUTURE

RESOLVE 1987
c. 60

Sponsor: PRAY, Perkins, Martin, J., Carroll
Committee Report: OTP-A
Amendments Adopted:
S-103 COMMITTEE
S-244 PEARSON

SUMMARY: LD 626 creates a new Commission on Maine's Future consisting of 40 members of which 20 are appointed by the Governor, 10 by the Speaker of the House, and 10 by the Senate President. Each county has a minimum of one member, and 19 members represent planning and development districts.

In the original bill the commission was "sunset" for September 1, 1988. The bill, as amended by the Committee, will sunset on July 1, 1989.

The commission's duties and responsibilities include:

- A. Formulating a growth and development strategy for the State;
- B. Developing and analyzing data and information and forecasting Maine's future growth and development;
- C. Examining long range plans of state agencies;
- D. Reporting on major state decisions;
- E. Submission of a final report to the Governor and Legislature on January 1, 1989.

LD 651 RESOLUTION, PROPOSING AN AMENDMENT TO THE CONSTITUTION OF MAINE TO INSURE THE PRESERVATION OF THE RIGHT TO KEEP AND BEAR ARMS CON RES 1987 No. 2

Sponsor: MARTIN, J., Duffy, Ruhlin, Pray
Committee Report: OTP-A
Amendments Adopted:
H-230 COMMITTEE

SUMMARY: LD 651 proposes to amend the Maine Constitution to remove the restriction that gives Maine citizens "...the right to keep and bear arms for the common defense;..." The amendment gives every citizen the right to keep and bear arms without restriction.

The intent of the bill is to give citizens the right to keep and bear arms for any reason and not exclusively for the purpose of the common defense.

The Maine Supreme Court has ruled that the Constitution does not give, carte blanche, the right to Maine citizens to bear arms for any reason. The Maine Constitution qualifies this right which is based on the need for "a common defense." As a result, the Maine Supreme Court has ruled that it is not unconstitutional to establish laws that deny or limit the right to convicted felons and mentally incompetent people to keep and bear weapons. The Court also ruled in the case, "State v. McKinnon, decided in May 1957; that the constitutional guarantee does not apply to hunting.

LD 651 removes the specified purpose for the right to keep and bear arms. An opinion from the Attorney General, however, indicated that removal of this purpose from the constitutional provision does not prevent the State from