

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
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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 ESTABLISH MAINE MERCHANT MARINE DAY PL 1987
1497 c. 140

Sponsor: VOSE, SCARPINO, CLARK, N.
Committee Report: ND of LD 496

SUMMARY: The New Draft establishes May 22 as Maine Merchant Marine Day to honor merchant marines who are often the forgotten heroes during periods of conflict.

LD AN ACT TO AMEND THE LAW CONCERNING ACTIVATION PL 1987
1500 OF STATE MILITARY FORCES BY THE GOVERNOR IN c. 334
HUMAN HEALTH EMERGENCIES

Sponsor: BLACK, Swazey, Harper, Kimball
Committee Report: OTP

SUMMARY: LD 1500 allows for the Governor's approval of National Guard activities such as medical evacuation and search and rescue.

The present Maine Revised Statutes, Title 37-B, section 183, subsection 1, allows the activation of the state military forces, i.e., National Guard, in the event of an emergency arising out of illness or injury. The law does not specifically provide for the location of missing persons and the prevention of loss of life or intercession in situations producing an increased health risk to individuals and their communities.

LD AN ACT TO CLARIFY THE DEFINITION OF PL 1987
1521 INTERMITTENT STATE EMPLOYEES c. 320

Sponsor: WENTWORTH, Baldacci, Strout, B., Bickford
Committee Report: OTP

SUMMARY: LD 1521 restores the definition of intermittent position that was incorrectly changed by Public Law 1985, Chapter 785.

LD AN ACT TO CLARIFY CAPITAL REIMBURSEMENTS PL 1987
1558 c. 335

Sponsor: WHITMORE, Usher, Stanley, Taylor
Committee Report: OTP

SUMMARY: LD 1558 revises Title 34-A, section 1210, by distinguishing between capital expenditures for replacement of equipment and vehicles and capital expenditures required

to meet increases in jail population from the net gain of prisoners as reflected in the Maine Revised Statutes, Title 17-A, section 1203, subsection 1, and section 1252, subsection 1.

LD AN ACT RELATING TO THE DISPOSITION OF SURPLUS INDEF PP
1567 REAL ESTATE

Sponsor: SPROUL, Wentworth, Tuttle, Gould, R. R.
Committee Report: ND of LD 548
Amendments Adopted:
H-152 CARROLL

SUMMARY: LD 548 proposed a state policy for the disposition of surplus state property. The Department of Finance is the department designated to sell surplus state property. The bill proposed that municipalities, counties, and property abutters, in that order, be given priority for any surplus state property offered for sale. Surplus state property is defined as property for which the agency of jurisdiction and any other state agency has no need or cannot use. A floor price of 25% of the appraised value was established as the minimum sales price for municipalities and counties which can also be charged 100% of the appraised value. If the surplus property is sold to a municipality or county at less than the appraised value and the property ceases to be used for a public purpose, the property reverts to the State. If a municipality or county pays the full appraised value price, the reverter clause no longer applies.

Excluded from the provisions of the bill were: public land swaps, land purchased with federal money and subject to federal regulation, the Department of Conservation; the Department of Transportation; and the State Tax Assessor.

The new draft, LD 1567, makes technical corrections and some substantive changes. This new draft:

1. Establishes the Department of Administration in which the Bureau of Public Improvements is located, as the administering agency with respect to the sale of surplus state-owned real estate;
2. Exempts real estate of the Maine State Retirement System from the provisions of this new draft;
3. Provides a procedure by which state-owned real estate is determined to be surplus. The Bureau of Public Improvements, upon notice by a department to the bureau to sell state property, will notify other state agencies to determine whether they have a need or use