

MAINE STATE LEGISLATURE

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STATE OF MAINE
113TH LEGISLATURE
SECOND REGULAR SESSION



BILL SUMMARY
JOINT STANDING COMMITTEE
ON
STATE & LOCAL GOVERNMENT
PART I - STATE GOVERNMENT

MAY 1988

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**ONE HUNDRED AND THIRTEENTH LEGISLATURE
FIRST & SECOND SPECIAL SESSIONS
SECOND REGULAR SESSION**

**JOINT STANDING COMMITTEE
BILL SUMMARIES
MAY 1988**

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 for floor amendments. Final action is listed to the right of the title. If final House and Senate action differ, both are listed. Committee Reports and Floor Action are indicated as follows::

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

Each individual summary was prepared by the analyst assigned, as noted for each committee. But, this document was produced by the efforts of all the office staff, including Secretaries: Charlene Brann, Janet Jean, Earl Knox, Valarie Parlin; Research Assistant Hartley Palleschi. Finally, Secretary Laurette Knox, Legal Assistant Carolyn Chick, and Research Assistant Robert Dunn had special responsibilities in the preparation of the overall document.

Please give us your suggestions and comments on these summaries and tell us of any inaccuracies.

The Committee Amendment rewrote the bill and removed the provision requiring voter approval prior to the state purchase of real property within a municipality. In addition, the amount of reimbursement paid by the State Treasurer would be the lower of either the amount by which tax loss within a municipality exceeds 5% of the most recent state valuation for the municipality or \$200,000. The Amendment also required that the Commissioner of Administration, rather than the State Tax Assessor, annually estimate the municipal value of reimbursable property in each municipality, prior to August 1. This amendment carried a fiscal note of \$5,500,000.

LD 2246 An Act to Require State-Leased Buildings to Meet Certain Air Quality Standards PUBLIC 733

<u>SPONSOR(S)</u>	<u>COMMITTEE REPORT</u>	<u>AMENDMENTS ADOPTED</u>
TUTTLE	OTP-AM	S-429
PRAY		
WEBSTER C		
CARROLL		

SUMMARY

LD 2246 proposed that state owned buildings and buildings leased to the State meet ASHRAE (American Society of Heating, Refrigeration, and Air-conditioning Engineers) air quality standards. Within 90 days following the effective date of the proposed law, all state owned buildings and buildings leased to the State would be required to meet the air ventilation standards. Upon receiving evidence of a landlord's non-compliance with the air quality standards, the State would be required to immediately give 30 days notice to the landlord that the State will vacate the premises if the conditions of noncompliance were not corrected within the 30 day period.

The Division of Health Engineering within the Department of Human Services would establish an air quality monitoring program to periodically check indoor air quality and ventilation.

Revenues from fines levied for violations would be dedicated to the Bureau of State Employee Health Internal Service Fund Account.

The Committee found some constitutional problems with the bill particularly with respect to the impairment of contract provision of the Maine Constitution. In addition, testimony was received that the requirement that the state vacate premises leased by the State following leaseholder failure to make the necessary corrections in 30 days following notice of the deficiencies to the owner would be difficult for the agency because in most cases, suitable alternatives could not be located in the 30 day period.

The committee amendment completely revised the bill. The amendment requires the Bureau of Public Improvements, beginning September 1, 1988, to apply to State owned buildings and buildings leased to the State the ANSI-ASHRAE Indoor Air Quality and Ventilation Standards contained in the proposed revision, 1981R, July 15, 1986.

The Commission of Administration will develop priorities for improving air quality in preparing budget requests for the repair and capital improvement of state buildings.

Enforcement of the indoor air quality and ventilation standards will be the responsibility of the Bureau of Labor Standards. The Bureau of Labor Standards enforces occupational safety and health standards in the public sector.

The Bureau of Public Improvements, with the assistance of the Board of Occupational Safety and Health, will conduct a survey on a sample number of buildings occupied by state employees to determine the extent of the problem, that has to be addressed. The Bureau of Public Improvements will develop a plan in cooperation with a labor-management team established for this purpose to approach the problem, and will report its findings to the Joint Standing Committee on State and Local Government by January 16, 1989. The report will indicate the extent of the problem, the priorities that need to be addressed, the means of addressing the priorities, including feasible alternatives, and the costs of these alternatives.

LD An Act to Correct Inconsistencies in the Publication of PUBLIC
2252 Legal Notices 667

<u>SPONSOR(S)</u>	<u>COMMITTEE REPORT</u>	<u>AMENDMENT'S ADOPTED</u>
CLARK N	OTP-AM	H-522 MARSANO
PERKINS		S-350
PRIEST		
TELOW		

SUMMARY

LD 2252 made several changes relating to the publication of legal notices in newspapers. The bill makes the several statutes consistent which regulate publication of legal notices. LD 2252 requires that legal notices be published in a newspaper of general circulation in the locality where the target audience resides. Some requirements in current law are vague while other requiremens are specific. In some cases, legal notices are required to be printed in newspapers published in the county in which a locality is situated. There are a number of situations in which the newspaper of general circulation in a county is not published in that county.

The committee amendment ensures that a newspaper with 2nd class mail privileges will qualify for legal notices if its permit is at a postoffice other than the location where it is printed. In addition, legal notices are required to be printed in all editions of a newspaper.