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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Staff: Ted Potter, Legislative Analyst

Office of Policy & Legal Analysis
Room 101, State House Sta. 13
Augusta, ME 04333
(207) 289-1670

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OFFICE OF POLICY AND LEGAL ANALYSIS

ROOM 101/107/135 STATE HOUSE STATION 13 AUGUSTA, MAINE 04333 TEL.: (207) 289-1670

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.

LD An Act to Require Legislative Confirmation of Members of the PUBLIC 2355 Maine Human Rights Commission 709

SPONSOR(S)

COMMITTEE REPORT

AMENDMENTS ADOPTED

PARADIS P MACBRIDE BRANNIGAN BLACK

SUMMARY

LD 2355 provides that all appointments to the Maine Human Rights Commission, subsequent to the effective date of the bill, are subject to review by the Joint Standing Committee on Judiciary and confirmation by the Legislature.

LD Resolve, Establishing the Commission to Study the

LV/WD

2363 Feasibility of Acquiring Coastal Property

OTP

SPONSOR(S)

COMMITTEE REPORT

AMENDMENTS ADOPTED

TUTTLE LV/WD

MITCHELL SALSBURY LOOK

SUMMARY

This bill would have established the Commission to Study the Feasibility of Acquiring Coastal Property. Such property would have been used to house employees of the Bureau of Marine Patrol. Currently, these employees are required to live within a certain travel time of their boats, but cost of coastal housing makes this difficult.

However, the Department of Marine Resources indicated that it was addressing the problem and the bill was withdrawn.

LD An Act Relating to Legal Expenses Incurred by State
2383 Employees in the Execution of their Official Duties

INDEF PP

COMMITTEE REPORT AMENDMENTS ADOPTED SPONSOR(S) TUTTLE OTP-AM MAJ H-684 CARROL CARROLL ONTP MIN S-430 MAJ REP LACROIX WENTWORTH

SUMMARY

LD 2383 proposed that any employee of the state or its political subdivisions, while in the conduct of his or her official duties, who is charged with criminal offenses and who successfully defends himself or herself against the charges would be reimbursed by the State for reasonable defense fees and costs.

Testimony presented at the hearing indicated that employees of school, sewerage, and water districts along with employees of municipalities and

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counties would be included with state employees whom the State would be required to reimburse when these employees successfully defended themselves against criminal charges. Hearing testimony also explained that some public employees who are acquitted of criminal charges relating to conduct of their official duties are subject to other disciplinary measures following acquittal. While there may not have been evidence to prove beyond a reasonable doubt that the employee committed a criminal violation, there may be sufficient evidence to warrant certain disciplinary measures.

The bill was amended to establish a legislative commission to study the issue relating to legal expenses incurred by state employees only who are charged with criminal violations for actions involved in the conduct of their official duties. Specifically, it was proposed that the commission look at the current process by which state employees are reimbursed or denied reimbursement of legal expenses that they incur. The commission would determine the deficiencies in the process, and make recommendations to improve the process.

LD An Act to Extend a Sunset Provision in the Civil 2410 Service Law

OTP-ND

ND 2605

SPONSOR(S)

COMMITTEE REPORT

AMENDMENTS ADOPTED

BUSTIN TUTTLE

CARROLL MURPHY T

SUMMARY

Replaced By LD 2605

LD An Act Relating to Conflict of Interest for Certain PUBLIC

2419 Governmental Officials and Employees (Reported Pursuant to a 784

Study by the Committee on State and Local Government)

SPONSOR(S)	COMMITTEE	REPORT	AMENDM	ENTS ADOPTED
	OTP-AM	MAJ	H-687	MAJ REP
	ONTP	MTN		

SUMMARY

LD 2419 proposed the following:

- 1. That members of state boards and commissions and municipal and county officials be subject to the same conflict of interest provisions as state officials.
- 2. That State employees, members of boards, and municipal and county officials be required to:
 - A. abstain in proceedings in which they, their children, or their parents are involved, and
 - B. avoid all appearances of a conflict of interest.

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