

# MAINE STATE LEGISLATURE

The following document is provided by the  
**LAW AND LEGISLATIVE DIGITAL LIBRARY**  
at the Maine State Law and Legislative Reference Library  
<http://legislature.maine.gov/lawlib>



Reproduced from scanned originals with text recognition applied  
(searchable text may contain some errors and/or omissions)

STATE OF MAINE  
114TH LEGISLATURE  
FIRST REGULAR SESSION



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

JULY 1989

MEMBERS

Sen. Georgette B. Berube \*  
Sen. Donald E. Esty, Jr.  
Sen. David L. Carpenter

Rep. Ruth Joseph \*  
Rep. Dorothy A. Rotondi  
Rep. Beverly C. Daggett  
Rep. Dan A. Gwadosky  
Rep. Conrad Heeschen  
Rep. Anne M. Larrivee  
Rep. Alberta M. Wentworth  
Rep. Jeanne F. Begley  
Rep. Dana C. Hanley  
Rep. John S. McCormick, Jr.

\* Denotes Chair

Staff: Ted Potter, Legislative Analyst

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

MARTHA E. FREEMAN, DIRECTOR  
WILLIAM T. GLIDDEN, PRINCIPAL ANALYST  
ULIE S. JONES, PRINCIPAL ANALYST  
DAVID C. ELLIOTT, PRINCIPAL ANALYST  
WILBERT W. BREWER  
RODD R. BURROWES  
MIRO FLATEBO  
JEBORAH C. FRIEDMAN  
JOHN B. KNOX



STATE OF MAINE  
**OFFICE OF POLICY AND LEGAL ANALYSIS**  
ROOM 101/107/135  
STATE HOUSE STATION 13  
AUGUSTA, MAINE 04333  
TEL: (207) 289-1670

ANNIKA E. LANE  
EDWARD POTTER  
MARGARET J. REINSCH  
LARS H. RYDELL  
JOHN R. SELSER  
HAVEN WHITESIDE  
CAROLYN J. CHICK, RES. ASST  
ROBERT W. DUNN, RES. ASST  
HARTLEY PALLESCHI, JR., RES. ASST

ONE HUNDRED AND FOURTEENTH LEGISLATURE  
FIRST REGULAR SESSION

JOINT STANDING COMMITTEE  
BILL SUMMARIES  
AUGUST 1989

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 for 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 abbreviated 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 Research Assistant Barbara McGinn, and secretaries: Charlene Brann, and Valarie Parlin, and especially Laurette Knox who coordinated preparation of the overall document.

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

LD 483

An Act to Change the Process of Selecting the Commissioner of Educational and Cultural Services

DIED BETWEEN HOUSES

<u>SPONSOR(S)</u>	<u>COMMITTEE REPORT</u>	<u>AMENDMENTS ADOPTED</u>
ESTES	ONTP MAJ	
HANDY	OTP MIN	
PARADIS J		

SUMMARY

LD 483 proposed to reverse the current appointment procedure with respect to the Commissioner of the Department of Educational and Cultural Services. The appointing authority would have been transferred from the Governor to the State Board of Education. The purpose of the bill was to remove education from politics. Currently, the Commissioner of Education is appointed by State boards of education in 23 states. In 7 states, the commissioner's appointment is made by the Governor, with Maine being the only New England state to use this procedure. In 16 states, the Commissioner of Education is elected by the people.

LD 509 An Act to Authorize the Maine Court Facilities Authority to Accept Gifts and Contributions

PUBLIC 221

<u>SPONSOR(S)</u>	<u>COMMITTEE REPORT</u>	<u>AMENDMENTS ADOPTED</u>
FOSTER	OTP-AM	H-208
BUSTIN		
DAGGETT		

SUMMARY

LD 509 proposes to authorize the 15 member Supreme Judicial Court Plan and Design Commission to accept federal funds and gifts including furnishings and artifacts. The purpose of the resolve was to encourage people to bequeath furnishings to a new Supreme Court Building.

The Commission, however, has no authority to construct, furnish, or reconstruct a Supreme Court building.

Since the Commission is composed of members from different branches of State government, the Commission would be in violation of the Separation of Powers principle if it were empowered to award money and gifts.

The bill was amended to empower the Maine Court Facilities Authority to accept federal funds, gifts, and contributions.

LD 546 Resolve, Concerning a Right-of-way Across the Elizabeth Levinson Center in Bangor

ONTP

<u>SPONSOR(S)</u>	<u>COMMITTEE REPORT</u>	<u>AMENDMENTS ADOPTED</u>
GARLAND	ONTP	
BALDACCI		

SUMMARY

LD 546 proposed:

- A. To increase by 25 feet the width of an easement across the property of the Elizabeth Levinson Center in Bangor provided by the State in 1983 to John Burke; and