

MAINE STATE LEGISLATURE

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STATE OF MAINE
114TH LEGISLATURE
SECOND REGULAR SESSION



BILL SUMMARIES
JOINT STANDING COMMITTEE
ON
STATE AND LOCAL GOVERNMENT

JUNE 1990

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**One Hundred and Fourteenth Legislature
Second Regular Session**

**Joint Standing Committee
Bill Summaries**

June 1990

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. Committee Reports and Floor Action are abbreviated as follows:

OTP
OTP-ND
OTP-ND-NT
OTP-A
ONTP
LVWD
INDEF PP

Ought to Pass
Ought to Pass in New Draft
Ought to Pass in New Draft, New Title
Ought to Pass as Amended
Ought Not to Pass
Leave to Withdraw
Indefinitely Postponed

Each individual summary was prepared by the analyst or analysts assigned to the committee. But, this document was produced by the efforts of all the office staff, including secretaries: Charlene Raymond, 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.

appointment of a county clerk, repealing the district attorneys' duty to represent counties in civil matters, requiring financial reports from county grant recipients and increasing the allowable use of state prisoner reimbursement to county jails.

Committee Amendment "C" included all of the provisions of Committee Amendment "A" and also required a uniform county budget process. The budget would be set by a county budget committee, subject to the county commissioners' veto and to a potential override by the budget committee. Counties would be permitted to vary this process only under a county charter.

Committee Amendment "B" included all of the provisions of Committee Amendments "A" and "C" and also required the appointment of the register of deeds and treasurer in each county (current office-holders were grandfathered), required sheriffs to meet certain training requirements and expanded the role of the county clerk.

**LD 2234 Resolve, Authorizing the Director of the Bureau of Public
Improvements to Sell the Maine Criminal Justice Academy
Campus in Waterville, Maine**

OTP-AM

SPONSOR(S)

KANY
CARPENTER

COMMITTEE REPORT

OTP-AM

AMENDMENTS ADOPTED

S-548

SUMMARY

LD 2234 authorized the Director of the Bureau of Public Improvements to sell the Maine Criminal Justice Academy Campus in Waterville. Proceeds from the sale of the Waterville Campus must be used by the Bureau of Public Improvements to equip and repair the new campus of the Criminal Justice Academy in the former Oak Grove-Coburn School in Vassalboro, Maine.

Committee Amendment "A" to LD 2234 added several requirements to the bill. First, the amendment required that the Director of the Bureau of Public Improvements conduct a public hearing at the Waterville Campus in the presence of the potential buyer to determine whether or not the proposed new use of the campus was compatible with the surrounding Waterville community. Second, the amendment added a reversion clause to the bill, specifying that title to the property reverts to the State if the Director of the Bureau of Public Improvements determines that the property has not been used or maintained in a manner consistent with the Waterville community. Third, the amendment added an allocation section to the bill allowing the Department of Administration to use funds raised through the sale of the Waterville Campus to equip and repair the Vassalboro site.

**LD 2246 An Act to Ensure the Effective Use of Grants in the Office
of the State Archivist**

PUBLIC 716

SPONSOR(S)

CARROLL D
ROLDE
ADAMS
BRANNIGAN

COMMITTEE REPORT

OTP

AMENDMENTS ADOPTED

S-545 BERUBE

SUMMARY

LD 2246 amended the organizational structure of the Department of the Secretary of State by establishing the Office of the State Archivist as a bureau within the Secretary of State. The organizational change was not intended to have any administrative effect on either the Secretary of State or the State Archivist, however, it clarified for the purposes of the calculating administrative overhead costs using

the state cost allocation formula that the State Archivist performs an administrative function separate from the other offices and bureaus of the Secretary of State. This change will allow the State Archivist to be more competitive with other states when seeking federal funding.

Senate Amendment "A" to LD 2246 added a fiscal note to the bill.

**LD 2247 An Act to Clarify the Law Governing the Aroostook County
Finance Committee**

**PUBLIC 686
EMERGENCY**

SPONSOR(S)

MARTIN J
COLLINS
GRAHAM
LISNIK

COMMITTEE REPORT

OTP

AMENDMENTS ADOPTED

SUMMARY

LD 2247 clarified the manner of nominating candidates for membership on the Aroostook County Finance Committee.

**LD 2248 An Act to Discourage Public Competition with Private
Enterprise**

PUBLIC 726

SPONSOR(S)

LARRIVEE
CONLEY

COMMITTEE REPORT

OTP-AM

AMENDMENTS ADOPTED

H-832
H-856 CONLEY

SUMMARY

LD 2248 prohibited municipal transit districts from selling any goods or services to any other entity except other transit districts, unless those goods or services were either essential to the purchaser or not available from another source. The intent of this bill was to limit the ability of transit districts to compete with private enterprise. Violations of these provisions were held as a Class E crime.

Committee Amendment "A" (H-832) to LD 2248 moderated the prohibition by allowing municipal transit districts to sell, rent or lease to municipalities and quasi-municipal corporations, as well as other transit districts, and by exempting advertising space on transit owned vehicles and existing vacant office or storage space owned by the transit district from the prohibition. Transit districts regulated by the Public Utilities Commission under Title 35-A, Part 5, were also exempted from the prohibition. In addition, the amendment changed the penalty from a Class E crime to a civil penalty not to exceed \$5,000.

House Amendment "A" (H-856) to Committee Amendment "A" modified the prohibition further, by extending permission to transit districts to sell, rent or lease services to the State.

**LD 2254 An Act to Implement the Recommendations of the Special
Commission to Study the Organization of the State's Cultural
Agencies (Reported Pursuant to Public Law 1989, Chapter 501)**

PUBLIC 700

SPONSOR(S)

COMMITTEE REPORT

OTP-AM

AMENDMENTS ADOPTED

S-546
S-549 BERUBE

SUMMARY

LD 2254 implements the recommendations of the Special Commission to Study the Organization of the State's Cultural Agencies by changing the existing structure of the state's cultural service agencies and