

# MAINE STATE LEGISLATURE

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**STATE OF MAINE  
115TH LEGISLATURE**

**FIRST REGULAR SESSION  
AND  
FIRST SPECIAL SESSION**

**BILL SUMMARIES  
JOINT STANDING COMMITTEE  
ON  
STATE AND LOCAL GOVERNMENT**

**AUGUST 1991**

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**ONE HUNDRED AND FIFTEENTH LEGISLATURE  
FIRST REGULAR SESSION  
AND  
FIRST SPECIAL SESSION  
JOINT STANDING COMMITTEE  
BILL SUMMARIES  
AUGUST 1991**

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 volume is organized alphabetically by committee; within each committee, the summaries are arranged by LD number. A subject index is provided at the beginning of each committee's summaries.

All adopted amendments are listed, by paper number (e.g., H - 584 or S - 222), together with the sponsor for floor amendments. Final action on each bill is listed to the right of the title. Various types of final action are abbreviated as follows:

<b>PUBLIC XXX</b>	<i>Chapter # of enacted Public Law</i>
<b>P&amp;S XXX</b>	<i>Chapter # of enacted Private &amp; Special Law</i>
<b>RESOLVE XXX</b>	<i>Chapter # of enacted Resolve</i>
<b>CON RES XXX</b>	<i>Chapter # of Constitutional Resolution passed by both Houses</i>
<b>EMERGENCY</b>	<i>Enacted law takes effect sooner than 90 days</i>
<b>CARRIED OVER</b>	<i>Bill carried over to 2nd Session</i>
<b>FAILED EMERGENCY ENACTMENT</b>	<i>Bill failed to get 2/3 vote</i>
<b>ONTP</b>	<i>Ought Not to Pass report accepted</i>
<b>LVWD</b>	<i>Leave to Withdraw report accepted</i>
<b>INDEF PP</b>	<i>Bill Indefinitely Postponed</i>
<b>DIED BETWEEN BODIES</b>	<i>House &amp; Senate disagree; bill died</i>
<b>VETO SUSTAINED</b>	<i>Legislature failed to override Governor's Veto</i>
<b>UNSIGNED</b>	<i>Not signed by Governor within 10 days</i>
<b>DIED ON ADJOURNMENT</b>	<i>Action incomplete when 1st session ended</i>

These summaries were 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.

If you have any suggestions or comments on these summaries, please let us know.

**LD 1487 An Act to Establish the Law Student Loan Repayment Assistance Fund for Law School Graduates Pursuing Public Interest Employment**

**ONTP**

<b>SPONSOR(S)</b>	<b>COMMITTEE REPORT</b>	<b>AMENDMENTS ADOPTED</b>
BALDACCI	ONTP	
GAUVREAU		
PARADIS P		
STEVENS P		

**SUMMARY**

This bill would have established the nonlapsing Law Student Loan Repayment Assistance Fund of \$80,000 for the first biennium, to provide grants to University of Maine School of Law graduates employed in law-related public interest work to assist in repayment of student loans for law school education.

**LD 1496 An Act to Require the Popular Election of the State Auditor**

**ONTP-MAJ REP**

<b>SPONSOR(S)</b>	<b>COMMITTEE REPORT</b>	<b>AMENDMENTS ADOPTED</b>
BENNETT	ONTP MAJ	
LOOK	OTP-AM MIN	
HANLEY		

**SUMMARY**

This bill would have provided for the popular election of the State Auditor on a biennial basis.

**LD 1505 An Act to Update Certain Laws Regarding Corporations, Lobbyists and Notaries**

**PUBLIC 465**

<b>SPONSOR(S)</b>	<b>COMMITTEE REPORT</b>	<b>AMENDMENTS ADOPTED</b>
JOSEPH	OTP-AM	H-491
GRAY		
LOOK		

**SUMMARY**

The bill changed the period for lobbyists to register with the Secretary of State from 7 to 15 days after commencement of activities constituting lobbying and authorized Secretary of State to suspend a lobbyist's registration if the lobbyist failed to file a report or pay a fee.

The bill also required notaries to have a seal and to keep records of all notarial acts; grandfathered existing notaries from having a seal or keeping records, and; required that a seal must be destroyed or returned to the Secretary of State when a commission ends.

The bill eliminated the requirement that the Secretary of State must notify the register of probate and clerk of the Judicial Court of newly appointed notaries; authorized the Secretary of State to publish and distribute publications to inform notaries of their duties, and; allowed the Secretary of State to charge a fee for the publications.

The bill amended the laws dealing with trademarks so that it also included the word "marks" to reflect more accurately the purpose of the law; allowed a registrant to amend a registration to change a mark or trademark, and; permitted the Secretary of State to promulgate rules and set fees to improve and expedite the filing process for mark registrations.

The bill also amended the laws dealing with Uniform Commercial Code filings, registering marks and filing corporation papers to permit the Secretary of State to adopt rules and charge fees for publications to improve and expedite the filing process.

The bill also allowed the Secretary of State to accept direct electronic filings from the federal Office of the Internal Revenue Service.

The bill extended the period of time in which a register of deeds has to file a certified copy of a noncapital stock corporation's certificate with the Secretary of State from 60 to 90 days, and permits the Secretary of State to provide public access to the Department of the Secretary of State's database.

The bill amended the laws dealing with corporations so that the Secretary of State may send attested copies of corporate documents rather than certified copies, and to provide public access to the corporation database. The bill further requires foreign corporations to file amendments with the Secretary of State when they change their addresses in the State where they are incorporated. The bill gave the Secretary of State the discretionary authority to stagger corporate annual filing dates, and provided a definition for "domestic condominium corporation."

The bill amended the laws pertaining to filing of limited partnerships and permits the Secretary of State to promulgate rules to establish fees to distribute publications providing information on limited partnership to the public.

Committee Amendment "A" deleted the requirement that notaries public obtain a seal and maintained their voluntarily right to obtain a seal. It required that those who do obtain a seal or their heirs destroy the seal if their commissions are resigned, revoked or expire. It required that the Secretary of State make informational publications available to all notaries public at the time of appointment or recommission. The publications could be sold when commissioned notaries public requested more than one copy or when noncommissioned individuals or groups requested copies of the publications.

The committee amendment further provides that the names of shareholders of a corporation be included in the corporation's annual report to the Secretary of State if there are no corporate directors. It also added a fiscal note to the bill.

**LD 1515 An Act Concerning the Sale of Surplus State Property**

**PUBLIC 418**

**SPONSOR(S)**

TREAT  
LARRIVEE  
MCCORMICK  
SAVAGE

**COMMITTEE REPORT**

OTP-AM

**AMENDMENTS ADOPTED**

H-493

**SUMMARY**

The bill authorized "nonprofit organizations serving handicapped persons" to buy state surplus property and made all sales of surplus property subject to competitive bidding.

Committee Amendment "A" authorized "qualifying nonprofit organizations" to purchase state surplus property and required competitive bidding when 2 or more qualified buyers are interested in any item. A fiscal note was also added to the bill.