

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
115TH LEGISLATURE

SECOND REGULAR SESSION

BILL SUMMARIES
JOINT STANDING COMMITTEE
ON
STATE AND LOCAL GOVERNMENT

MAY 1992

Staff:
Karen L. Hruby, Legislative Analyst

*Office of Policy and Legal Analysis
Room 101, State House Station 13
Augusta, ME 04333
(207)287-1670*

MEMBERS:

**Sen. Georgette B. Berube
Sen. Beverly Miner Bustin
Sen. Jerome A. Emerson*

**Rep. Ruth Joseph
Rep. Conrad Heeschen
Rep. Anne M. Larrivee
Rep. Glenith C. Gray
Rep. George J. Kerr
Rep. Merton C. Waterman
Rep. Theone F. Look
Rep. Lawrence F. Nash
Rep. Elmer N. Savage
Rep. Marge Kilkelly*

**Denotes Chair*

IARTHA E. FREEMAN, DIRECTOR
WILLIAM T. GLIDDEN, JR., PRINCIPAL ANALYST
ULIE S. JONES, PRINCIPAL ANALYST
DAVID C. ELLIOTT, PRINCIPAL ANALYST
DON CLARK
YAN M. DYTTER
BRO FLATEBO
EBORAH C. FRIEDMAN
MICHAEL D. HIGGINS
KANE ORBETON



KAREN L. HRUBY
JILL IPPOLITI
JOHN B. KNOX
PATRICK NORTON
MARGARET J. REINSCH
PAUL J. SAUCIER
HAVEN WHITESIDE
MILA M. DWELLEY, RES. ASST.
ROY W. LENARDSON, RES. ASST.
BRET A. PRESTON, RES. ASST.

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

**ONE HUNDRED AND FIFTEENTH LEGISLATURE
SECOND REGULAR SESSION**

**JOINT STANDING COMMITTEE
BILL SUMMARIES**

MAY 1992

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 far right of the title. Various types of final action are abbreviated as follows:

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

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, 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 1887 **Resolve, to Override a Departmental Rule Imposing Certain ASHRAE Standards on Local School Districts** ONTP

SPONSOR(S)	COMMITTEE REPORT	AMENDMENTS ADOPTED
FOSS REED G MACBRIDE FOSTER	ONTP	

SUMMARY

This resolve would have overruled a departmental rule that imposed ASHRAE air quality and ventilation standards on new public school construction.

LD 1963 **An Act to Implement Constitutional Provisions Restricting the Imposition of Unfunded State Mandates** INDEF PP

SPONSOR(S)	COMMITTEE REPORT	AMENDMENTS ADOPTED
CLARK N CLEVELAND GWADOSKY	OTP MAJ ONTP MIN	

SUMMARY

This bill, which was carried over from the first regular session, would have provided enabling legislation to implement the provisions of the constitutional amendment proposed by L.D. 66 as amended.

The bill would have defined some of the terms used in the proposed constitutional amendment; required that if the Legislature reduced any state aid programs it must also suspend or modify existing mandates to allow similar cost savings at the local level; required the State to fund mandates through state funding sources, rather than the authorization of local fees or taxes; and required that if local units of government sold property purchased with funds provided from the State to meet a mandate, the proceeds from the sale must be returned to the State.

The original proposed constitutional amendment prohibited the Legislature from amending the statutory provisions of this bill except by a 2/3 vote of all members elected to each House. The provisions of this bill would have taken effect only if the voters had approved the proposed constitutional amendment.

Constitutional questions arose regarding this bill and whether the implementing legislation could be passed as the same time as the Constitutional Referendum. Also, LD 66 was passed in an amended form that would not have been consistent with LD 1963.

LD 1964 **Resolve, to Establish the Commission on Recall** INDEF PP

SPONSOR(S)	COMMITTEE REPORT	AMENDMENTS ADOPTED
LEMKE CONLEY PARADIS J GAUVREAU	OTP-AM MAJ ONTP MIN	H-868 MAJ REP

SUMMARY

This resolve, which was carried over from the first regular session, was originally a companion bill to L.D. 1758, which proposed a referendum to the Constitution of Maine that would permit state and county

elected officials to be recalled. This resolve would have established a commission to draft enabling legislation if the referendum was approved by the public. The proposed legislation would have had to be passed by a 2/3 vote of both Houses of the Legislature before it becomes law.

Committee amendment A (H-868) retained the Commission on Recall to draft a Constitutional resolution permitting the recall of publicly elected officials and removed the requirement that there first be a public referendum on the issue. The amendment also added an appropriation section and a fiscal note.

**LD 1993 Resolve, That the Reporting Deadline for the Commission on
Comprehensive Energy Planning Be Extended RESOLVE 57
EMERGENCY**

SPONSOR(S)	COMMITTEE REPORT	AMENDMENTS ADOPTED
CLEVELAND	OTP-AM	S-530

SUMMARY

This resolve extended the deadline for the Commission on Comprehensive Energy Planning to file its report to February 1, 1992.

Committee amendment A (S-530) extended the deadline to March 15, 1992 and added a fiscal note.

**LD 2006 An Act to Extend the Reporting Date of the Commission to
Study the Retirement Benefits Provided by the State PUBLIC 638
EMERGENCY**

SPONSOR(S)	COMMITTEE REPORT	AMENDMENTS ADOPTED
MCCORMICK	OTP-AM	S-531

SUMMARY

This bill extended the reporting date of the Commission to Study the Retirement Benefits Provided by the State to January 31, 1992.

Committee amendment A (S-531) extended the deadline to March 15, 1992 and added a fiscal note.

**LD 2011 An Act Authorizing the Town of Vanceboro to Issue Bonds and
Notes for Construction of an Elementary School ONTP**

SPONSOR(S)	COMMITTEE REPORT	AMENDMENTS ADOPTED
VOSE LUDWIG BAILEY H	ONTP	

SUMMARY

This bill would have authorized the Town of Vanceboro to issue bonds and notes for financing the construction of a new elementary school. The authorization would have become effective only upon approval by the voters of the Town of Vanceboro. After the bill was printed it was determined that Vanceboro had sufficient bonding capability remaining under current law to issue the bonds without requiring additional authority from the Legislature.