

MAINE STATE LEGISLATURE

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**STATE OF MAINE
116TH LEGISLATURE**

FIRST REGULAR SESSION

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

JULY 1993

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**ONE HUNDRED AND SIXTEENTH LEGISLATURE
FIRST REGULAR SESSION**

**JOINT STANDING COMMITTEE
BILL SUMMARIES**

JULY 1993

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.

The committee report or reports, the prime sponsor for each bill and the lead co-sponsor in each house if one has been designated are listed below each bill title. 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:

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

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

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LD 238 **An Act to Amend the Laws Governing Paper Streets** **ONTP**

SPONSOR(S) **COMMITTEE REPORT** **AMENDMENTS ADOPTED**
DORE ONTP

SUMMARY

This bill provides that title to property taken for town ways is not required to be in fee simple absolute if the property includes a paper street and public rights in the property have not been terminated pursuant to the Maine Revised Statutes, Title 23, section 3031, subsection 1, section 3032 or 3033. The bill also allows municipalities under certain circumstances to assign rights-of-way to landowners abutting paper streets.

LD 275 **An Act to Amend the Employee Suggestion System** **ONTP**

SPONSOR(S) **COMMITTEE REPORT** **AMENDMENTS ADOPTED**
VIGUE ONTP
CAREY

SUMMARY

This bill proposes to establish a system to reward state employees who help uncover or prosecute fraud in State Government. The Employee Suggestion System is amended to include a provision to make rewards for fraud recovery.

LD 279 **Resolve, Creating a Special Commission to Erect a Plaque in the Hall of Flags Honoring Medal of Honor Recipients from Maine** **RESOLVE 1**

SPONSOR(S) **COMMITTEE REPORT** **AMENDMENTS ADOPTED**
PEARSON OTP S-30 BERUBE
VOSE

SUMMARY

This resolve establishes a commission to make arrangements to have a plaque, displayed in the Hall of Flags in the State House, honoring Medal of Honor recipients from Maine.

The amendment (S-30) allows the commission to seek outside funding, but prohibits expenditures of General Fund money.

LD 282 **An Act to Make the Terms of Certain Commissioners Coterminous with the Term of the Governor** **VETO SUSTAINED**

SPONSOR(S) **COMMITTEE REPORT** **AMENDMENTS ADOPTED**
CAREY OTP-AM MAJ S-55
ONTP MIN

SUMMARY

This bill proposes to make the terms of persons serving on the Health Care Finance Commission, the Public Utilities Commission and the Workers' Compensation Board coterminous with the Governor's term. Persons

currently serving in those positions may continue to serve until the next Governor takes office after the next election for Governor.

The amendment (S-55) replaces the original bill and provides for the renomination and reconfirmation of cabinet-level commissioners in the executive branch at the beginning of each term of the Governor.

LD 287 An Act Concerning the Clerk-of-the-works PUBLIC 339

SPONSOR(S)	COMMITTEE REPORT	AMENDMENTS ADOPTED
CAMPBELL	ONTP MAJ	H-382
AMERO	OTP-AM MIN	S-241 BUTLAND

SUMMARY

This bill designates the owner as the employer of the clerk-of-the-works and subjects the clerk to approval by the owner before being hired.

The committee amendment (H-382) removes the clarification that the clerk is hired by the owner, removes the word "directly" and removes the approval of the clerk by the owner, because in the new language the owner is involved in the interview process.

The Senate amendment (S-241) clarifies that the clerk-of-the-works reports to the architect or engineer of record on a project but requires that the owner be given reports of all project correspondence. The amendment also clarifies that the architect or engineer of record for a project may discipline or terminate a clerk after consultation with the owner.

LD 291 An Act to Restrict the Use of State Facilities PUBLIC 71

SPONSOR(S)	COMMITTEE REPORT	AMENDMENTS ADOPTED
LEMKE	OTP-AM	H-93

SUMMARY

This bill prohibits the State from hiring consultants who have clients whose interests may conflict with the those of the State. The bill also prohibits a consultant from using state facilities as a primary base of operation.

The committee amendment (H-93) replaces the original bill and places restrictions on the use of state facilities and state property by consultants.

LD 316 An Act to Amend the Laws Governing Convening of Town Meetings ONTP

SPONSOR(S)	COMMITTEE REPORT	AMENDMENTS ADOPTED
PEARSON O'DEA	ONTP	

SUMMARY

Currently, municipalities are required to elect a moderator to supervise voting. This bill allows the town clerk or other person authorized by the municipal officers to perform this function and the moderator to be elected as part of the regular meeting.