

# MAINE STATE LEGISLATURE

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STATE OF MAINE  
116TH LEGISLATURE

SECOND REGULAR SESSION

BILL SUMMARIES  
JOINT STANDING COMMITTEE  
ON  
STATE AND LOCAL GOVERNMENT

MAY 1994

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

**JOINT STANDING COMMITTEE  
BILL SUMMARIES**

**MAY 1994**

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, 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:

*PUBLIC XXX*

*P&S XXX*

*RESOLVE XXX*

*CON RES XXX*

*EMERGENCY*

*ONTP*

*INDEF PP*

*FAILED ENACTMENT*

*FAILED EMERGENCY ENACTMENT*

*FAILED MANDATE ENACTMENT*

*DIED BETWEEN BODIES*

*CONF CMTE UNABLE TO AGREE*

*VETO SUSTAINED*

*UNSIGNED*

*DIED ON ADJOURNMENT*

*Chapter # of enacted Public Law*

*Chapter # of enacted Private & Special Law*

*Chapter # of enacted Resolve*

*Chapter # of Constitutional Resolution passed by both Houses*

*Enacted law takes effect sooner than 90 days*

*Ought Not to Pass report accepted*

*Bill Indefinitely Postponed*

*Bill failed to get majority vote*

*Emergency bill failed to get 2/3 vote*

*Bill imposing local mandate failed to get 2/3 vote*

*House & Senate disagree; bill died*

*Committee of Conference unable to agree; bill died*

*Legislature failed to override Governor's Veto*

*Not signed by Governor within 10 days*

*Action incomplete when session ended; bill died*

These summaries were prepared by the analyst or analysts assigned to the committee. If you have any suggestions or comments on the summaries, please let us know.

5581LHS

**LD 1527**

**An Act to Impose Limits on the Terms of Legislators,  
Constitutional Officers, Members of the Judiciary and  
Members of Congress and to Limit Lobbying in Successive  
Years**

ONTP

**SPONSOR(S)**  
JOSEPH

**COMMITTEE REPORT**  
ONTP

**AMENDMENTS ADOPTED**

**SUMMARY**

This bill establishes limitations on terms for state legislators, the Secretary of State, the Treasurer of State, the Attorney General, the State Auditor, members of the Judiciary, members of the United States Congress. The bill would limit consecutive terms of office for those individuals beginning with terms of office commenced on or after December 3, 1996. The bill also limits lobbyists to 8 successive years of lobbying and imposes a 2-year disqualification period once the 8-year limit has been triggered.

**LD 1589      Resolve, Regarding the Sale of State-owned Property**

RESOLVE 46

**SPONSOR(S)**  
CLARK

**COMMITTEE REPORT**  
OTP-AM

**AMENDMENTS ADOPTED**  
H-719

**SUMMARY**

This resolve authorizes the Commissioner of Defense and Veterans' Services to negotiate with George F. and Janet A. Bryant for the sale and subsequent conveyance by deed of a certain parcel of land in the Town of Millinocket.

COMMITTEE AMENDMENT "A" (H-719) specifies a sale amount of \$1 for the interest of the State in a parcel of land in the Town of Millinocket and adds a fiscal note.

**LD 1665      An Act Regarding Access to Property via Abandoned Roads**

PUBLIC 677

**SPONSOR(S)**  
LIBBY J L

**COMMITTEE REPORT**  
JT. RULE 13

**AMENDMENTS ADOPTED**  
H-1075 LARRIVEE

**SUMMARY**

The purpose of this bill is to protect the rights of owners of land that abuts a discontinued public way. When a public way is discontinued, it is possible for the owner of land located on the former public road to lose all rights of legal access to the property, substantially diminishing the property's usefulness and value to the owner. Current law requires local officials to estimate the amount of these damages and to compensate the landowner for any decrease in the value of the land. This process is not always completed due to inaccurate records, miscommunication or misunderstanding. This is particularly true in the case of abandoned roads.

This bill ensures that the owner of land located on a public way that is discontinued or abandoned either receives a proper determination of damages and is paid those damages, if the land's value is diminished, or retains a private right-of-way sufficient to allow access and development of the land. Under the bill, if a landowner is paid damages for the decrease in value of the land, or if it is determined that no decrease occurred as a result of the discontinuance or abandonment, no private easement is retained by the landowner. If the landowner is denied either a determination of whether damages occurred or is denied payment of damages found to have resulted from the discontinuance, the landowner's rights are protected by providing a private easement for access to the land. The bill was removed from the committee under Joint Rule 13 without a committee report.