

# MAINE STATE LEGISLATURE

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STATE OF MAINE  
117TH LEGISLATURE

FIRST REGULAR SESSION

BILL SUMMARIES  
JOINT STANDING COMMITTEE  
ON  
STATE AND LOCAL GOVERNMENT

AUGUST 1995

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Rep. Robert E. Yackobitz

\*Denotes Chair



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

**SUMMARY OF LEGISLATION BEFORE  
THE JOINT STANDING COMMITTEES**

**AUGUST 1995**

This document is a compilation of the bill summaries prepared by this office for the Joint Standing 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 publication, History and Final Disposition of Legislative Documents, is helpful in determining to which committee any particular bill was referred.

In this document, 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 categories of final action are abbreviated as follows:

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

These summaries were prepared by the analyst or analysts assigned to the committee. If more detailed information is needed on a bill, contact the committee analyst.

5581LHS

**LD 647**      **An Act to Amend the Laws Regarding Use and Acquisition of State Property**

PUBLIC 280

**SPONSOR(S)**

BUTLAND

**COMMITTEE REPORT**

OTP-AM

**AMENDMENTS ADOPTED**

S-201

**SUMMARY**

This bill revises the provisions on state employees using state property off the premises by amending the definition of "state property" to include property acquired with funds received by an agency outside of the normal system of accounts and controls. The section on the use and acquisition of state property is restructured and a provision is added, allowing the State to bring an action in Superior Court for injunctive relief seeking the return of the property. This action does not affect any criminal prosecution for theft. The use of state property off the premises for personal use is not prohibited if the employee has the prior written approval of the head of the department for which that employee works.

COMMITTEE AMENDMENT "A" (S-201) retains the provision in the original bill that allows the State to seek an action for injunctive relief, which does not prohibit the State from also seeking criminal sanctions if the State desires to do so.

**LD 655**      **An Act Concerning Municipal Rent Control**

PUBLIC 194

**SPONSOR(S)**

WINSOR

**COMMITTEE REPORT**

OTP-AM      MAJ  
OTP-AM      MIN

**AMENDMENTS ADOPTED**

H-200

**SUMMARY**

This bill ensures that municipal officials conduct an objective analysis of housing costs within the municipality and surrounding municipalities prior to adopting municipal rent control. Factors that must be included in their analysis include, but are not limited to, rent levels, vacancy rates and the effect that restrictive land use regulations have on the supply and cost of rental housing.

COMMITTEE AMENDMENT "A" (H-200) replaces the original bill and repeals the law governing municipal rent control, which means that a municipality is free to adopt ordinances under its home rule authority.

**LD 662**      **An Act to Amend the Municipal Subdivision Laws Regarding Application Requirements**

PUBLIC 93

**SPONSOR(S)**

GOULD

**COMMITTEE REPORT**

OTP-AM

**AMENDMENTS ADOPTED**

H-90

**SUMMARY**

This bill incorporates the requirements of the Maine Revised Statutes, Title 32, section 13907 into the laws governing municipal review of proposed subdivisions to ensure that municipal reviewing authorities do not accept or approve any plan or document that lacks a required seal and signature of a professional land surveyor.

COMMITTEE AMENDMENT "A" (H-90) clarifies that only the final plans or final documents are required to be sealed and signed by a professional land surveyor.