

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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**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:

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

SUMMARY

This bill establishes a surcharge for documents recorded in the registry of deeds. The surcharge is used to fund the restoration, recreation and preservation of records in the offices of registers of deeds.

LD 1273 **Resolve, to Ensure Standardization among State Agency Regulations** ONTP

SPONSOR(S)	COMMITTEE REPORT	AMENDMENTS ADOPTED
WINN	ONTP	

SUMMARY

This resolve directs the Department of Agriculture, Food and Rural Resources and the Department of Human Services to review their rules applicable to the licensing of small businesses and restaurants and to prepare a proposal to standardize those rules.

LD 1282 **An Act to Correct Obsolete References to Justices of the Peace** PUBLIC 227

SPONSOR(S)	COMMITTEE REPORT	AMENDMENTS ADOPTED
DAGGETT	OTP	

SUMMARY

During the 1980's, the Office of Justice of the Peace was merged with that of Notary Public, with the merger completed in 1988. Because of a constitutional problem, Public Law 1987, chapter 736, effective July 1, 1988, renamed the Office of Complaint Justice to that of Justice of the Peace, and changed most relevant statutes accordingly. Four statutes appear to have been overlooked. This bill makes the corrections.

LD 1283 **An Act to Update and Clarify Administrative Procedures** PUBLIC 373

SPONSOR(S)	COMMITTEE REPORT	AMENDMENTS ADOPTED
DAGGETT	OTP-AM	H-496

SUMMARY

This bill provides a sunset provision for rules adopted under the Maine Administrative Procedure Act. It clarifies that copies of rules are under the statutory pricing schedule for the Secretary of State. It corrects the following ambiguities: it defines the "authorized representative" who signs the official original of the rule; it allows a more reasonable time period for extending a comment deadline; and it corrects an error, replacing "adoption" with "comment deadline" to establish the time before which interested persons must be provided with copies of rules.

COMMITTEE AMENDMENT "A" (H-496) clarifies ambiguous language in the bill and eliminates the provisions proposing automatic expiration of agency rules. The amendment also adds a fiscal note to the bill.

LD 1285 **An Act to Clarify and Expand the Powers and Duties of Lake Arrowhead Community, Incorporated** P & S 37
EMERGENCY

SPONSOR(S)	COMMITTEE REPORT	AMENDMENTS ADOPTED
MCALEVEY LORD	OTP-AM	H-490

SUMMARY

Lake Arrowhead Community, Incorporated, is a homeowners' association in the development formerly known as Lake Arrowhead Estate, in the Town of Limerick and the Town of Waterboro in York County. This bill clarifies and expands the powers of the homeowners' association by making it clear that all owners are members of the association and liable to pay their share of the association's expenses, establishes a method for governance and provides the ability for the association to collect membership fees.

COMMITTEE AMENDMENT "A" (H-490) replaces the bill. Like the bill, the amendment clarifies and expands the powers of the property owners' association by making it clear that all owners are members of the association and liable to pay their share of the association's expenses, establishes a method for governance and provides the ability for the association to collect unpaid membership fees. The amendment makes several technical changes in the bill, clarifies the validity of existing membership dues and adds a requirement that the provisions of the Act be approved by a vote of the members of the property owners' association.

LD 1316 An Act to Address Membership of the Substance Abuse Services Commission ONTP

SPONSOR(S)	COMMITTEE REPORT	AMENDMENTS ADOPTED
BUSTIN	ONTP	

SUMMARY

This bill makes the legislative members of the Substance Abuse Services Commission advisory only and changes the duties of the commission to include direction of the Office of Substance Abuse.

LD 1324 An Act to Require the Commissioner of Defense and Veterans' Services to Be Confirmed by the Legislature PUBLIC 302

SPONSOR(S)	COMMITTEE REPORT	AMENDMENTS ADOPTED
MORRISON	OTP-AM	H-394

SUMMARY

This bill requires that the Commissioner of Defense and Veterans' Services be subject to review and confirmation by the Legislature.

COMMITTEE AMENDMENT "A" (H-394) adds a fiscal note to the bill.

LD 1328 An Act to Limit the Length of Legislative Sessions ONTP

SPONSOR(S)	COMMITTEE REPORT	AMENDMENTS ADOPTED
LUMBRA	ONTP	

SUMMARY

This bill shortens legislative sessions by providing that the first regular session will adjourn no later than the 2nd Wednesday in April and the 2nd regular session will adjourn no later than the first Wednesday in March.