

MAINE STATE LEGISLATURE

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**STATE OF MAINE
117TH LEGISLATURE**

SECOND REGULAR SESSION

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

JUNE 1996

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Sen. Susan W. Longley

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**ONE HUNDRED SEVENTEENTH LEGISLATURE
SECOND REGULAR SESSION**

***Summary Of Legislation Before The Joint Standing Committees
June 1996***

We are pleased to provide this summary of bills that were considered by the 15 Joint Standing Committees of the Maine Legislature staffed by this office. The document is a compilation of bill summaries which describe each bill, committee amendments and other relevant amendments, as well as the final action taken on the bill. Also included are statistical summaries of bill activity this Session for the Legislature and each of its joint standing committees.

The document is organized for convenient reference to information on bills handled by the joint standing committees. It is organized alphabetically by committees and within committees by bill (LD) number. The committee report(s), prime sponsor for each bill and the lead co-sponsor(s), if designated, are listed below each bill title. All adopted amendments are listed by paper number. Two indices, a subject index and a numerical index by LD number are provided for easy reference to bills. They are located at the back of the document. A separate publication, History and Final Disposition of Legislative Documents, may also be helpful in providing information on the disposition of bills.

Final action on each bill is noted to the right of the bill title. The abbreviations used for various categories of final action are 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 finally passed 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>

Please note the effective date for all non-emergency legislation enacted in the Second Regular Session (unless otherwise specified in a particular law) is July 4, 1996.

commission would have been required to issue its report and any necessary legislation by February 15, 1996.

Committee Amendment "A" (H-866) would have replaced the original bill and addressed the problem with the current law cited by the office of the Attorney General, in a memorandum dated August 11, 1995. The amendment would have prohibited the use of the state computer system to advocate for the election or defeat of any elected municipal, county or state candidate, including leadership positions, any constitutional officers or federal representatives. The amendment also would have clarified that any document created or stored on a State Government computer system must be made available in compliance with the Maine Revised Statutes, Title 1, chapter 13, the Maine Freedom of Access Law. (Not adopted)

LD 1683 **An Act to Establish the Town Boundary between the Town of Canaan and the Town of Cornville and between the Town of Canaan and the Town of Skowhegan Located in the County of Somerset** P & S 64

<u>Sponsor(s)</u>	<u>Committee Report</u>	<u>Amendments Adopted</u>
STEDMAN	OTP	

The purpose of LD 1683 was to define and describe with greater certainty the location of the common boundary between the Town of Canaan and the Town of Cornville and between the Town of Canaan and the Town of Skowhegan.

Enacted law summary

Private and Special Law 1995, chapter 64 describes the location of the common boundary between the Town of Canaan and the Town of Cornville and between the Town of Canaan and the Town of Skowhegan.

LD 1700 **An Act to Allow the Removal from Public Office of Certain Elected County Officials** PUBLIC 683

<u>Sponsor(s)</u>	<u>Committee Report</u>	<u>Amendments Adopted</u>
BUNKER	OTP-AM	H-803 H-916

LD 1700 proposed to expand current law to provide consistent treatment in the appointment of a replacement to fill a vacancy caused by death, resignation, removal from the county and permanent incapacity in the offices of judge of probate, register of probate, county commissioner, county treasurer, sheriff and register of deeds. The bill directed the Governor to appoint a person to fill a vacancy until after the next general election if the incumbent elected official becomes permanently incapacitated. Similar provisions already exist for district attorneys and municipal officers.

Committee Amendment "A" (H-803) proposed to define the term "permanent incapacity" that results in a vacancy in county office. The amendment also removed the emergency preamble and emergency clause from the bill and added a fiscal note to the bill.

House Amendment "C" (H-916) proposed to strike from the bill provisions concerning appointments to fill vacancies in the office of sheriff, leaving the law regarding vacancies in the office of sheriff as it currently exists.

Enacted law summary

Public Law 1995, chapter 683 establishes a consistent treatment in the filling of vacancies caused by death, resignation, removal from the county and permanent incapacity in the offices of judge of probate, register of probate, county commissioner, county treasurer and register of deeds. The Governor appoints a replacement until the next general election. Chapter 683 also defines the term permanent incapacity.

LD 1701 An Act to Reduce the Number of Legislative Confirmation Hearings PUBLIC 519

<u>Sponsor(s)</u>	<u>Committee Report</u>	<u>Amendments Adopted</u>
DAGGETT	OTP-AM	H-699

LD 1701 proposed to reduce the number of legislative confirmation hearings by removing the confirmation requirement for various boards and commissions. In addition it proposed to replace a reference to the Maine Commission for Women in the Maine Commission on Domestic Abuse.

Committee Amendment "A" (H-699) proposed to remove the Land for Maine's Future Board, the Loring Development Authority of Maine, the Marine Resources Advisory Council, the Inland Fisheries and Wildlife Advisory Council and the Real Estate Commission from the bill. The entities would have continued to be subject to legislative confirmation. The amendment also would have added a fiscal note to the bill.

Enacted law summary

Public Law 1995, chapter 519 removes the requirement for legislative confirmation from the following boards and commissions: Board of Directors of the Maine Education and Training Export Partnership, Maine Science and Technology Foundation, Adaptive Equipment Loan Program Fund Board, Maine Education Assistance Board, Maine Education Loan Authority, and the chair of the Maine State Cultural Affairs Council.

LD 1723 Resolve, Authorizing the Sale by the State of a Certain Parcel of Land to Joseph Squeglia RESOLVE 65

<u>Sponsor(s)</u>	<u>Committee Report</u>	<u>Amendments Adopted</u>
DEXTER	OTP-AM	H-717

LD 1723 would have allowed the State to sell a certain parcel of land to Joseph Squeglia upon payment of back taxes owed.

Committee Amendment "A" (H-717) would have clarified that in addition to back taxes, Mr. Squeglia must also pay interest and other related costs.