MAINE STATE LEGISLATURE

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STATE OF MAINE 118TH LEGISLATURE

FIRST REGULAR SESSION AND FIRST SPECIAL SESSION

BILL SUMMARIES JOINT STANDING COMMITTEE ON STATE AND LOCAL GOVERNMENT

JULY 1997

MEMBERS: Sen. John M. Nutting, Chair Sen. Jill M. Goldthwait Sen. James D. Libby

Staff:

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Office of Policy and Legal Analysis Room 101/107/135, 13 State House Station Augusta, ME 04333 (207)287-1670 Rep. Douglas J. Ahearne, Chair Rep. William Lemke Rep. Lucien A. Dutremble Rep. Martha A. Bagley Rep. Laura Sanborn Rep. F. Thomas Gieringer, Jr. Rep. Randall L. Bumps Rep. Robert F. Fisk, Jr. Rep. Susan Kasprzak Rep. Belinda A. Gerry



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ONE HUNDRED EIGHTEENTH LEGISLATURE FIRST REGULAR AND FIRST SPECIAL SESSIONS

Summary Of Legislation Before The Joint Standing Committees August 1997

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, <u>History and Final Disposition of Legislative Documents</u>, may also be helpful in providing information on the disposition of bills. These bill summaries also are available at the Law and Legislative Reference Library and on the Internet (www.state.me.us/legis/opla).

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:

CARRIED OVER	Bill carried over to Second Regular Session
CON RES XXX	
	House & Senate disagree; bill died
DIED IN CONCURRENCEOne	body accepts ONTP report; the other indefinitely postpones the bill
DIED ON ADJOURNMENT	Action incomplete when session ended; bill died
EMERGENCY	Enacted law takes effect sooner than 90 days
FAILED EMERGENCY ENACTMENT/FINAL PAS	SSAGE Emergency bill failed to get 2/3 vote
FAILED ENACTMENT/FINAL PASSAGE	
FAILED MANDATE ENACTMENT	Bill imposing local mandate failed to get 2/3 vote
INDEF PP	Bill Indefinitely Postponed
ONTP	Bill imposing local mandate failed to get 2/3 voteBill Indefinitely PostponedOught Not To Pass report accepted
OTP ND	
OTP ND/NT	
P&S XXX	Chapter # of enacted Private & Special Law
PUBLIC XXX	
UNSIGNED	Bill held by Governor
	Legislature failed to override Governor's Veto

Please note the effective date for all non-emergency legislation enacted in the First Regular Session (unless otherwise specified in a particular law) is June 26, 1997 and September 19, 1997 for the First Special Session.

LD 33 would have provided for the appointment of the State Auditor by the Governor, subject to a two-thirds vote of the Legislature. The bill also would have established a seven-year term, with a one-term limit, and required the State Auditor to be a certified public accountant at the time of appointment.

Committee Amendment "A" (S-75) would have added language allowing a certified internal auditor to serve as State Auditor and removed the language increasing the State Auditor's term from four years to seven years and limiting service to one term.

LD 34 RESOLUTION, Proposing an Amendment to the Constitution of Maine to Change the Process for the Selection of the State

ONTP

Treasurer

Sponsor(s)	Committee Report		Amendments Adopted
AMERO	ONTP	MAJ	
DONNELLY	OTP-AM	MIN	

LD 34 proposed to amend the Constitution of Maine to provide for appointment of the Treasurer of State by the Governor subject to confirmation by a two-thirds vote of the Legislature.

LD 39 An Act to Clarify the Authority of County Commissioners to Close Roads for Winter in the Unorganized Territories

PUBLIC 327

Sponsor(s)	Committee Report	Amendments Adopted
AHEARNE	OTP-AM	H-417

LD 39 proposed to clarify existing law that the authority of county commissioners to close roads in the unorganized territories for maintenance includes the authority to close roads in winter.

Committee Amendment "A" (H-417) proposed to require the commissioner, in closing roads for the winter, to follow the same public notice and hearing procedures as required of municipal officers when they close municipal roads. The amendment also established an appeal process from a decision of the county commissioners to close roads during winter. Finally, the amendment removed that emergency clause and preamble from the bill.

Enacted law summary

Public Law 1997, chapter 327 clarifies that county commissioners have the authority to close county roads in unorganized territories during the winter. In doing so, the county commissioners must follow the same public notice and hearing procedures required of municipal officers when they close municipal roads. A decision of the commissioners may be appealed to Superior Court.