

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

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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, History and Final Disposition of Legislative Documents, 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:

<i>CARRIED OVER</i>	<i>Bill carried over to Second Regular 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 IN CONCURRENCE</i>	<i>One body accepts ONTP report; the other indefinitely postpones the bill</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/FINAL PASSAGE</i>	<i>Emergency bill failed to get 2/3 vote</i>
<i>FAILED ENACTMENT/FINAL PASSAGE</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>OTP ND</i>	<i>Committee report Ought To Pass In New Draft</i>
<i>OTP ND/NT</i>	<i>Committee report Ought To Pass In New Draft/New Title</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>Bill held by Governor</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 First Regular Session (unless otherwise specified in a particular law) is June 26, 1997 and September 19, 1997 for the First Special Session.

David E. Boulter, Director
 Offices Located in the State House, Rooms 101/107/135

LD 40

An Act to Require Appointment of a County Commissioner Whose District Includes Unorganized and Deorganized Areas to the Maine Land Use Regulation Commission

ONTP

<u>Sponsor(s)</u>	<u>Committee Report</u>	<u>Amendments Adopted</u>
AHEARNE	ONTP	

LD 40 proposed that one of the seven members appointed to the Maine Land Use Regulation Commission be a county commissioner whose district includes a portion of the unorganized and deorganized areas.

LD 44

An Act to Raise the Fee for Congressional and Legislative Registration Plates

PUBLIC 58

<u>Sponsor(s)</u>	<u>Committee Report</u>	<u>Amendments Adopted</u>
MCELROY	OTP-AM MAJ OTP-AM MIN	H-31

LD 44 proposed to add a fee of \$10 to be paid by a Legislator or member of Congress to purchase a pair of specially designed congressional or legislative number plates.

Committee Amendment "A" (H-31) replaced the bill. Instead of providing for an additional \$10 fee, it imposed an additional fee equal to the cost of producing the plates, rounded to the nearest dollar. The fee will be determined by the Department of the Secretary of State, Bureau of Motor Vehicles.

Enacted law summary

Public Law 1997, chapter 58 imposes an additional fee to be paid by Legislators or members of Congress who purchase specially designed congressional or legislative number plates. The fee is equal to the cost of producing the plates, rounded to the nearest dollar, as determined by the Department of the Secretary of State, Bureau of Motor Vehicles.

LD 45

An Act to Increase the Fees for Attachment of Real Estate and Personal Property

PUBLIC 5

<u>Sponsor(s)</u>	<u>Committee Report</u>	<u>Amendments Adopted</u>
WHEELER E FERGUSON	OTP	

LD 45 proposed to increase the fees sheriffs and deputies receive for attachment of real estate and personal property and for service of a writ of replevin.

Enacted law summary

Public Law 1997, chapter 5 increases the fees sheriffs and deputies receive for attachment of real estate and personal property and for service of a writ of replevin.

LD 62

An Act to Change the Method for Setting Wages for Deputies

PUBLIC 44

<u>Sponsor(s)</u>	<u>Committee Report</u>	<u>Amendments Adopted</u>
WHEELER E FERGUSON	OTP-AM	H-26

LD 62 proposed to repeal the minimum per diem rate of compensation for full-time and part-time deputies and to require the county commissioners to establish the rate of compensation.

Committee Amendment "A" (H-26) proposed to remove the dollar amount limitation on the earnings of part-time deputies and establishes a limitation of 1040 hours of work in any calendar or fiscal year.

Enacted law summary

Public Law 1997, chapter 44 repeals the statutory minimum per diem rate of compensation for full-time and part-time deputies and requires the county commissioner to establish the rate of compensation. Chapter 44 limits part-time deputies to compensation for up to 1040 hours of work per year.

LD 63

An Act Concerning Dangerous Buildings in the Unorganized Territories

PUBLIC 6

<u>Sponsor(s)</u>	<u>Committee Report</u>	<u>Amendments Adopted</u>
AHEARNE	OTP MAJ ONTP MIN	H-2 AHEARNE

LD 63 proposed to establish a procedure to be conducted by the county commissioners by which dangerous buildings or other structures that pose a public nuisance in unorganized territories may be disposed of. Current law provides a procedure by which such buildings or structures in municipalities may be disposed of by the municipal officers. No procedure is provided in law for dangerous buildings or other structures in the unorganized territories.

House Amendment "A" (H-2) proposed to clarify that the county commissioners may also seek an order of demolition of dangerous buildings or structures in unorganized territories by filing a complaint with the Superior Court. The amendment also directs that any appeal of a decision of the county commissioners must be made in the Superior Court.

Enacted law summary

Public Law 1997, chapter 6 establishes a procedure by which the county commissioners may dispose of dangerous buildings and other structures in unorganized territories, including seeking an order of demolition in Superior Court. The procedures established is parallel to that for disposal of dangerous buildings and structures in municipalities by the municipal officers.