

# MAINE STATE LEGISLATURE

The following document is provided by the  
**LAW AND LEGISLATIVE DIGITAL LIBRARY**  
at the Maine State Law and Legislative Reference Library  
<http://legislature.maine.gov/lawlib>



Reproduced from electronic originals  
(may include minor formatting differences from printed original)

**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*

*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*

**Staff:**

*Roy W. Lenardson, Legislative Analyst*

*Deborah C. Friedman, Legislative Analyst*

*David C. Elliott, Principal Analyst*

*Office of Policy and Legal Analysis*

*Room 101/107/135, 13 State House Station*

*Augusta, ME 04333*

*(207)287-1670*



**Maine State Legislature**  
**OFFICE OF POLICY AND LEGAL ANALYSIS**

13 State House Station, Augusta, Maine 04333-0013  
 Telephone: (207) 287-1670  
 Fax: (207) 287-1275

**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](http://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 &amp; 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&amp;S XXX</i> .....	<i>Chapter # of enacted Private &amp; 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 92**                      **An Act to Establish State Auditor As an Appointed Position**                      **ONTP**

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

LD 92 would have established the State Auditor position as an appointed position by the Governor, requiring approval by two-thirds of the Legislature.

**LD 99**                      **An Act Concerning the Format of Legislative Documents**                      **ONTP**

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

LD 99 would have required language in legislative documents that is not allocated to the Maine Revised Statutes to be underlined and required that language that is repealed but reappears elsewhere in the law be italicized.

**LD 103**                      **An Act to Make Legislative Information Available through the Internet**                      **PUBLIC 43**

<u>Sponsor(s)</u>	<u>Committee Report</u>	<u>Amendments Adopted</u>
CARLETON PINGREE	OTP-AM	H-25

LD 103 proposed to require that certain legislative information be made available through the Internet.

**Committee Amendment "A" (H-25)** proposed to correct clerical errors and remove the requirement that committee meeting minutes be made available through the Internet.

*Enacted law summary*

Public Law 1997, chapter 43 requires the Legislative Council to make the following information available through the Internet: legislative documents, committee hearing schedules, status of legislation, the Laws of Maine, study reports and other information designated by the Legislative Council.

**LD 120**                      **An Act to Transfer the Authority for Fixed Assets Inventory**                      **PUBLIC 90**

<u>Sponsor(s)</u>	<u>Committee Report</u>	<u>Amendments Adopted</u>
AHEARNE	OTP-AM	H-128

LD 120 proposed to remove the requirement that travel policies established for state employees be subject to the Maine Administrative Procedure Act. This would reduce the administrative burden on the Secretary of State and the Department of Administrative Services. This bill also proposed to transfer authority for fixed assets inventory from the Bureau of General Services to the Bureau of Accounts and Control.

**Committee Amendment "A" (H-128)** proposed to remove the section of the bill that would exempt the determination of travel expense reimbursements from the Maine Administrative Procedure Act.

***Enacted law summary***

Public Law 1997, chapter 90 transfers authority for fixed assets inventory from the Bureau of General Services to the Bureau of Accounts and Control.

**LD 131                      An Act to Authorize a State Agency to Charge Interest on Money Owed to that Agency                      ONTP**

<u>Sponsor(s)</u>	<u>Committee Report</u>	<u>Amendments Adopted</u>
BRUNO PENDLETON P	ONTP	

LD 131 proposed to allow state departments and agencies to charge and collect interest on payments due the State for fines, overpayments or other amounts due in the normal course of business.

**LD 133                      An Act Regarding Qualifications for the Office of Sheriff                      PUBLIC 37**

<u>Sponsor(s)</u>	<u>Committee Report</u>	<u>Amendments Adopted</u>
BUNKER FERGUSON	OTP-AM	H-27

LD 133 proposed to establish minimum qualifications for candidates for election or appointment to the office of county sheriff. The requirements are consistent with standards set by the Maine Criminal Justice Academy for certification as a law enforcement executive. Persons serving in the office of sheriff on the effective date of enactment would be "grandfathered," or deemed to meet these minimum qualifications. See also LD 834.

**Committee Amendment "A" (H-27)** clarified that a candidate for sheriff may not have been convicted of a Class C or higher crime, clarified the applicability of the Law Enforcement Code of Ethics to candidates for sheriff and "grandfathered" anyone who is not currently serving as sheriff but who previously served in that capacity from the minimum qualifications imposed by the bill.

***Enacted law summary***

Public Law 1997, chapter 37 reestablishes minimum qualifications for candidates for election or appointment to the office of county sheriff which were inadvertently repealed last year. The requirements are consistent with standards set by the Maine Criminal Justice Academy for certification as a law enforcement executive. Persons serving in the