

# 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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*Sen. Jill M. Goldthwait*

*Sen. James D. Libby*

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**Maine State Legislature**

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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](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:

- CARRIED OVER*.....*Bill carried over to Second Regular Session*
- CON RES XXX*.....*Chapter # of Constitutional Resolution passed by both Houses*
- CONF CMTE UNABLE TO AGREE*.....*Committee of Conference unable to agree; bill died*
- DIED BETWEEN BODIES*.....*House & Senate disagree; bill died*
- DIED IN CONCURRENCE*.....*One 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 PASSAGE*.....*Emergency bill failed to get 2/3 vote*
- FAILED ENACTMENT/FINAL PASSAGE*.....*Bill failed to get majority vote*
- FAILED MANDATE ENACTMENT*.....*Bill imposing local mandate failed to get 2/3 vote*
- INDEF PP*.....*Bill Indefinitely Postponed*
- ONTP*.....*Ought Not To Pass report accepted*
- OTP ND*.....*Committee report Ought To Pass In New Draft*
- OTP ND/NT*.....*Committee report Ought To Pass In New Draft/New Title*
- P&S XXX*.....*Chapter # of enacted Private & Special Law*
- PUBLIC XXX*.....*Chapter # of enacted Public Law*
- RESOLVE XXX*.....*Chapter # of finally passed Resolve*
- UNSIGNED*.....*Bill held by Governor*
- VETO SUSTAINED*.....*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.

*David E. Boulter, Director*

Offices Located in the State House, Rooms 101/107/135

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

office of sheriff on the effective date of enactment or who previously served in that capacity would be "grandfathered," or deemed to meet these minimum qualifications.

**LD 135                      An Act to Designate Square Dancing as the Official Folk Dance of Maine                      ONTP**

<u>Sponsor(s)</u>	<u>Committee Report</u>	<u>Amendments Adopted</u>
BERRY D	OTP-AM    MAJ ONTP        MIN	

LD 135 proposed to designate square dancing as the official folk dance for the State of Maine.

**Committee Amendment "A" (H-30)** proposed to include contra dancing, round dancing, line dancing and clogging in the definition of the term "square dancing." LD 135, as amended by Committee Amendment "A" was enacted by both Houses, but was subsequently recalled from the governor's desk and recommitted to the Committee. On reconsideration of the bill, the committee again issued a divided report and both Houses accepted the Ought not to Pass report.

**LD 137                      An Act to Prohibit Omnibus Fish and Game Legislation                      ONTP**

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

LD 137 proposed to prohibit the Revisor of Statutes from preparing omnibus legislation that included any section proposing to amend the inland fisheries and wildlife laws of the State.

**LD 151                      An Act to Increase the Penalty for Illegally Parking in a Handicapped Parking Space                      PUBLIC 60**

<u>Sponsor(s)</u>	<u>Committee Report</u>	<u>Amendments Adopted</u>
SIROIS	OTP-AM	H-29

LD 151 proposed to authorize local law enforcement officials to enforce handicapped parking restrictions on private, as well as public, property increase the fee for second and subsequent violations of handicapped parking restrictions and require that vehicles illegally parked in spaces reserved for handicapped parking be towed immediately.

**Committee Amendment "A" (H-29)** proposed to replace the bill. It raises the fine for improperly parking in a handicapped parking space from \$50 to \$100.