

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. James D. Libby

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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

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.

Enacted law summary

Public Law 1997, chapter 60 raises the fine for improperly parking in a handicapped parking space from \$50 to \$100.

**LD 156 An Act to Amend the Charter of the Loring Development Authority PUBLIC 71
as It Pertains to Immunity of the Authority EMERGENCY**

<u>Sponsor(s)</u>	<u>Committee Report</u>	<u>Amendments Adopted</u>
KIEFFER ROWE	OTP-AM	S-63

LD 156 proposed to broaden the limitations of liability for the board members and employees of the Loring Development Authority.

Committee Amendment "A" (S-63) replaced the original bill and added to the existing language, which retained the provision of the Maine Tort Claims Act, while still providing a broadening of the limitation of liability for board members and employees of the Loring Development Authority.

Enacted law summary

Public Law 1997, chapter 71 expands the limitations of liability for a board member or an employee of the Loring Development Authority. Chapter 71 was enacted as an emergency measure effective April 10, 1997.

**LD 157 An Act to Impose a Surcharge on Documents Recorded in a PUBLIC 503
Registry of Deeds to Fund Preservation of Registry Documents**

<u>Sponsor(s)</u>	<u>Committee Report</u>	<u>Amendments Adopted</u>
DAGGETT	OTP-AM A OTP-AM B ONTP C	S-360 MICHAUD S-94

LD 157 proposed to establish a surcharge of \$3 for documents recorded in a registry of deeds. The surcharge would be used to fund the restoration, re-creation and preservation of records in the offices of registers of deeds.

Committee Amendment "A" (S-93), the majority committee amendment, proposed to exempt documents filed by state agencies and municipalities from that requirement, repeals the surcharge established in the bill on January 1, 2002 and adds a mandate preamble and a fiscal note to the bill. This amendment was not adopted.

Committee Amendment "B" (S-94), the minority amendment, proposed to make imposition of the surcharge optional with the county, exempt documents filed by municipalities from the surcharge if it is imposed, repeal any surcharge imposed by the bill on January 1, 2002 and add an appropriation section and a fiscal note to the bill.

Senate Amendment "A" to Committee Amendment "B" (S-360) proposed to exempt agencies of State