

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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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

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 as It Pertains to Immunity of the Authority

**PUBLIC 71
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 Registry of Deeds to Fund Preservation of Registry Documents

PUBLIC 503

| <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

Government from the surcharge on documents that are recorded in the registry of deeds. It also removes the appropriation section.

Enacted law summary

Public Law 1997, chapter 503 imposes a surcharge of \$3 on documents recorded in a county registry of deeds. Money raised by the surcharge is deposited in a separate fund in each county dedicated to paying for the restoration, re-creation and preservation of registry records. State agencies and municipalities are exempt from payment of the surcharge. Imposition of the surcharge is repealed on January 1, 2002.

| | | |
|---------------|---|--------------------|
| LD 175 | An Act to Make Technical Changes in Laws Authorizing the Sale of the Pineland Center | P & S 3 |
|---------------|---|--------------------|

| | | |
|-----------------------------|--------------------------------|---------------------------|
| <u>Sponsor(s)</u> FOSTER | <u>Committee Report</u> OTP | <u>Amendments Adopted</u> |
|-----------------------------|--------------------------------|---------------------------|

LD 175 proposed to permit the State to sell certain property at the Pineland Center that was inadvertently excluded from legislation passed in 1996 and to clarify that the State has the authority to dispose of any interest it may have in rangeways and crossways.

Enacted law summary

Private and Special Law 1997, chapter 3 permits the State to sell certain property at the Pineland Center that was inadvertently excluded from legislation passed in 1996 and clarifies that the State has the authority to dispose of any interest it may have in rangeways and crossways.

| | | |
|---------------|---|---------------------|
| LD 188 | RESOLUTION, Proposing an Amendment to the Constitution of Maine to Require Minimum Qualifications for the Treasurer of State | CARRIED OVER |
|---------------|---|---------------------|

| | | |
|--|-------------------------|---------------------------|
| <u>Sponsor(s)</u> DONNELLY AMERO | <u>Committee Report</u> | <u>Amendments Adopted</u> |
|--|-------------------------|---------------------------|

LD 188 proposes an amendment to the Constitution of Maine to require the Treasurer of State to have certain education and experience qualifications. This bill has been carried over to the Second Regular Session.