

# 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**

**MEMBERS:**

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*Sen. Jill M. Goldthwait*

*Sen. James D. Libby*

*Rep. Douglas J. Ahearne, Chair*

*Rep. William Lemke*

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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 214**

**RESOLUTION, Proposing an Amendment to the Constitution of  
Maine to Reduce the Size of the Legislature Following Redistricting  
in the Year 2003**

**ONTP**

<u>Sponsor(s)</u>	<u>Committee Report</u>	<u>Amendments Adopted</u>
MITCHELL B PLOWMAN	ONTP MAJ OTP-AM MIN	

LD 214 proposed to amend the Constitution of Maine to reduce the size of the House of Representatives from 151 members to 99 members and the size of the Senate from no more than 35 members to 33 members. Reduction of membership would have taken effect for the 2005 election.

**LD 219**

**Resolve, to Establish Qualifications for Constitutional Officers and  
the State Auditor** **DIED BETWEEN  
BODIES**

<u>Sponsor(s)</u>	<u>Committee Report</u>	<u>Amendments Adopted</u>
LIBBY	OTP-AM	

LD 219 proposed to create the Commission to Establish the Criteria and Qualifications for Certain State Officers to review the responsibilities and duties of the Secretary of State, the Treasurer of State, the Attorney General and the State Auditor and to establish criteria and qualifications for the individuals holding those positions.

**Committee Amendment "A" (S-99)** would have removed all Legislators from the commission, added one member of the Executive Department appointed by the Governor, removed authorization to pay compensation to commission members, provided for staffing and funding by the Department of the Secretary of State and authorized the Joint Standing Committee on State and Local Government to report out legislation on the issue of qualifications to the Second Regular Session of the 118th Legislature.

**House Amendment "B" to Committee Amendment "A" (H-419)** would have restored legislative members to the commission and provided compensation for them.

**House Amendment "C" to Committee Amendment "A" (H-436)** would have removed the emergency preamble and clause and changed the date for appointment of commission members and the reporting date.

**LD 223**

**An Act to Clarify the Territory Included within Lake Arrowhead  
Community, Incorporated**

**P & S 4**

<u>Sponsor(s)</u>	<u>Committee Report</u>	<u>Amendments Adopted</u>
MCALEVEY LIBBY	OTP MAJ ONTP MIN	

LD 223 proposed to correct omissions in Private and Special Law 1995, chapter 37 enacted two years ago to clarify and expand the powers and duties of Lake Arrowhead Community, Inc., a homeowner's association. In

describing the territory encompassed by the association, chapter 37 failed to explicitly include all lands within the association.

***Enacted law summary***

Private and Special Law 1997, chapter 4 corrects the description of the territory encompassed by Lake Arrowhead Community, Inc., a homeowner’s association, in a law passed two years ago.

**LD 249                      An Act to Require That All Legislative Documents Contain a Citizen and Business Impact Statement                      ONTP**

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

LD 249 would have required that proposed legislation include a statement of impact on public policy and on Maine citizens and businesses.

**Committee Amendment "A" (H-139)**, the minority amendment, which was not adopted, proposed to require a Legislator to disclose any knowledge that that Legislator may have concerning the impact of that Legislator's proposed legislation on business or industry in the State, which also must be included in the summary of the printed bill.

**LD 256                      RESOLUTION, Proposing an Amendment to the Constitution of Maine to Require a Runoff Election if No Candidate Receives a Majority of the Votes in the General Election                      ONTP**

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

LD 256 proposed an amendment to the Constitution of Maine to require that successful candidates for Governor receive more than 50% of the votes cast. If no candidate received more than 50% in the first election, the resolution would require a runoff election between the two persons who received the largest number of votes and the person who receives the larger number of votes in the runoff election would be declared Governor.

**LD 269                      RESOLUTION, Proposing an Amendment to the Constitution of Maine to Provide 4-year Terms for Senators and Members of the House of Representatives                      DIED BETWEEN BODIES**

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