

# 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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**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

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                      ONTP**  
**Citizen and Business Impact Statement**

<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                      ONTP**  
**Maine to Require a Runoff Election if No Candidate Receives a**  
**Majority of the Votes in the General Election**

<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                      DIED BETWEEN**  
**Maine to Provide 4-year Terms for Senators and Members of the                      BODIES**  
**House of Representatives**

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

LD 269 proposed to amend the Constitution of Maine to change Legislators' terms to four years following the general election in 1998. Business in the fourth year of a session would have been restricted as it is presently in the second year.

**Committee Amendment "A" (S-287)** would have replaced the constitutional resolution. It would have provided four-year terms for Senators, beginning in 1998. It also would have added term limits totaling eight consecutive years to the Constitution for both Senators and members of the House of Representatives.

**LD 274                      An Act to Allow Towns to Use the Money Held in Administrative Funds That Comes from the Use of Ministerial Trust Land                      PUBLIC 57**

<u>Sponsor(s)</u>	<u>Committee Report</u>	<u>Amendments Adopted</u>
STANLEY MICHAUD	OTP-AM	H-5

LD 274 proposed to authorize the use of 20% of ministerial funds held in trust.

**Committee Amendment "A" (H-5)** replaced the original bill and proposed to clarify that the town must have land in its possession from which an income is generated.

*Enacted law summary*

Public Law 1997, chapter 57 authorizes a municipality to use up to 20% of ministerial funds every five years for educational purposes, provided that the municipality currently has land which generates an income.

**LD 282                      An Act to Require Public Forms to Contain a Revision Date                      ONTP**

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

LD 282 proposed to require all state agencies to include a revision date on any form used by the public.

**LD 313                      An Act to Require a Disclaimer of the Dollar Value of Benefits for Public Employee Positions                      ONTP**

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

LD 313 proposed to require municipalities, counties and school districts to include a statement of the dollar value of fringe benefits in any publication that states the salary of an officer, employee or position paid by that entity.