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: Sen. John M. Nutting, Chair 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, <u>History and Final Disposition of Legislative Documents</u>, 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:

CARRIED OVER	Bill carried over to Second Regular Session
CON RES XXX	
	House & Senate disagree; bill died
DIED IN CONCURRENCEOne	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 PAS	SSAGE Emergency bill failed to get 2/3 vote
FAILED ENACTMENT/FINAL PASSAGE	
FAILED MANDATE ENACTMENT	Bill imposing local mandate failed to get 2/3 vote
INDEF PP	Bill Indefinitely Postponed
ONTP	Bill imposing local mandate failed to get 2/3 voteBill Indefinitely PostponedOught Not To Pass report accepted
OTP ND	
OTP ND/NT	
P&S XXX	Chapter # of enacted Private & Special Law
PUBLIC XXX	
RESOLVE XXX	
UNSIGNED	Bill held by Governor
	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.

LD 865 proposed to authorize the incorporation of the Town of Biddeford Pool if the legal residents of Biddeford Pool, by referendum, approved separation from the City of Biddeford and incorporation as a separate town.

Committee Amendment "A" (H-698) would have replaced the bill. Rather than authorizing Biddeford Pool to secede from the City of Biddeford, it would have authorized the residents of Biddeford Pool to form a village corporation with responsibility for roads, sidewalks, water drainage, oversight of the public park at Vines' Landing, removal of solid waste, police services and regulation of land use, including subdivision and zoning regulations. Current City of Biddeford ordinances regarding traffic, parking or use of the harbor would have continued to apply in the village corporation territory, but any changes to those ordinances would apply only if agreed to by the overseers of the corporation. The city would have been required to transfer 31% of revenue from property taxes collected within the village corporation territory to the corporation. In addition, in the first transfer after incorporation, the city would have been required to provide a supplemental 2% transfer to enable the corporation to build a reserve fund for emergencies and unanticipated expenses.

The corporation would have been managed by a village administrator, a board of overseers comprised of three or five elected persons and other officers or committees called for by the corporate bylaws. All persons who reside in the limits of the corporation and who are legal voters in the City of Biddeford would have been able to vote at meetings of the corporation. The amendment would have provided for approval of the charter at any time within two years of its approval by the Governor.

LD 875

An Act to Require Legislative Confirmation of the Director of the Office of Substance Abuse

ONTP

Sponsor(s) BENOIT Committee Report
ONTP

Amendments Adopted

LD 875 proposed to change the position of Director of the Office of Substance Abuse from an office appointed by the Commissioner of Mental Health, Mental Retardation and Substance Abuse Services to an office appointed by the Governor subject to confirmation by the Legislature.

LD 877 RESOLUTION, Proposing an Amendment to the Constitution of Maine to Clarify the Process for Inclusion of a Competing Measure FINAL PASSAGE

Sponsor(s) Committee Report Amendments Adopted
OTP-AM

LD 877 proposed an amendment to the Constitution of Maine to clarify that a legislative act is considered a "competing measure" to a citizen-initiated measure only if it is approved in the same session in which the citizen-initiated measure was presented. It also would have provided that, if an election is pending after final adjournment of the session in which the initiated measure was presented, the Legislature would be prohibited from enacting law on the same subject matter as the measure to be voted on, until the vote has been completed.