

# 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](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

*Enacted law summary*

Public Law 1997, chapter 499 establishes the Division of Safety and Environmental Services under the Bureau of General Services in the Department of Administrative and Financial Services as the local state agency responsible for asbestos, lead and indoor air quality matters and directs the division to provide asbestos, lead and air quality assessment and mitigation oversight services to public schools and state facilities.

**LD 1605**                      **An Act to Prohibit Towns from Canceling Health Insurance Provided to Retired Employees**                      **PUBLIC 419**

<u>Sponsor(s)</u>	<u>Committee Report</u>	<u>Amendments Adopted</u>
OTT	OTP-AM    MAJ ONTP        MIN	H-497

LD 1605 proposed to require a municipality to allow a retired former employee to remain enrolled in the municipality's health insurance plan if the retired employee pays the premiums.

**Committee Amendment "A" (H-497)** proposed to clarify that the premium rate that a retired municipal employee must pay in order to be kept on the municipality's health care plan is the group rate. It also corrected a headnote, and added a mandate preamble and a fiscal note to the bill.

*Enacted law summary*

Public Law 1997, chapter 419 requires a municipality to allow a retired former employee to remain enrolled in the health insurance plan offered by the municipality if the retiree pays the group rate premiums for that coverage.

**LD 1610**                      **Resolve, to Establish a Commission to Designate Outstanding Maine Citizens Whose Portraits Are to Be Displayed in the State House**                      **RESOLVE 64**

<u>Sponsor(s)</u>	<u>Committee Report</u>	<u>Amendments Adopted</u>
LEMKE	OTP-AM    MAJ ONTP        MIN	H-328 H-452    AHEARNE

LD 1610 proposed to establish the Maine Commission on Outstanding Citizens to designate outstanding Maine citizens to be honored by display of a portrait in the State House.

**Committee Amendment "A" (H-328)** proposed to add a member from the State House and Capitol Park Commission and to replace the appointment from the Joint Standing Committee on Education and Cultural Affairs with an appointment from the Joint Standing Committee on State and Local Government. The amendment also added an appropriation section and a fiscal note to the bill.

**House Amendment "A" to Committee Amendment "A" (H-452)** proposed to require the legislative member of the Commission to be appointed by the presiding officers of the Legislature.

*Enacted law summary*

Resolve 1997, chapter 64 establishes the Maine Commission on Outstanding Citizens to designate outstanding Maine Citizens to be honored by display of a portrait in the State House.

**LD 1612**                      **Resolve, Concerning the Construction of a State Playground at Capitol Park**                      **ONTP**

<u>Sponsor(s)</u> O'BRIEN		<u>Committee Report</u> ONTP		<u>Amendments Adopted</u>
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LD 1612 proposed to establish the Commission to Study the Feasibility of Constructing a Playground at Capitol Park.

**LD 1635**                      **An Act to Make Changes to the Official Maine State Symbols**                      **ONTP**

<u>Sponsor(s)</u> PINGREE		<u>Committee Report</u> ONTP      MAJ OTP      MIN		<u>Amendments Adopted</u>
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LD 1635 proposed to established the seal currently in use by the Secretary of State as the official state seal and to establish the same design as the official coat of arms. It proposed to establish the flag adopted by the Legislature in 1901 as the official state flag. That flag had a buff background, with a blue star in the left corner and a large pine tree in the middle. This flag would also be used as the state merchant and marine flag. The bill would have established the design currently in use as the state flag as the official flag of the Governor. This flag would also be carried by the Maine National Guard with the addition of an inscription "Maine National Guard."

**LD 1720**                      **An Act to Repeal the Requirement That Victualers Be Licensed by a Municipality**                      **PUBLIC 446**

<u>Sponsor(s)</u> GOLDTHWAIT		<u>Committee Report</u> OTP		<u>Amendments Adopted</u>
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LD 1720 proposed to repeal the requirement that a victualer be licensed by a municipality, because eating establishments are also required to be licensed by the Department of Human Services, which has detailed licensing standards and an extensive inspection system which is enforced by the state or by a municipality if it meets certain criteria.

***Enacted law summary***

Public Law 1997, chapter 446 repeals the requirement that a victualer be licensed by a municipality, because eating establishments are also required to be licensed by the Department of Human Services, which has detailed licensing