

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

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Staff:

Roy W. Lenardson, Legislative Analyst

Deborah C. Friedman, Legislative Analyst

David C. Elliott, Principal Analyst

Office of Policy and Legal Analysis

Room 101/107/135, 13 State House Station

Augusta, ME 04333

(207)287-1670



Maine State Legislature

OFFICE OF POLICY AND LEGAL ANALYSIS

13 State House Station, Augusta, Maine 04333-0013
Telephone: (207) 287-1670
Fax: (207) 287-1275

**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:

- 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

standards and an extensive inspection system which is enforced by the state or by a municipality if it meets certain criteria.

LD 1733 **An Act to Allow Municipalities the Option to Require Residency for Those Who Submit Major Budget Requests to the Municipality** **ONTP**

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

LD 1733 proposed to allow municipalities to require residency in the municipality for officials and employees who submit major budgetary requests for the municipality. During deliberations on the bill, the committee concluded that the bill was unnecessary because current law permits such requirements to be imposed on the categories of municipal officials who would have been affected by the bill.

LD 1759 **An Act to Create the Maine Governmental Facilities Authority** **PUBLIC 523**

<u>Sponsor(s)</u>	<u>Committee Report</u>	<u>Amendments Adopted</u>
NUTTING	OTP-AM MAJ	H-737 DONNELLY
AHEARNE	ONTP MIN	S-297
		S-336 NUTTING

LD 1759 proposed the establishment of the Maine Governmental Facilities Authority for the purpose of financing the renovation or construction of state and judicial department facilities. The bill proposed to incorporate the existing provisions of the Maine Court Facilities Authority Act and permits the Maine Governmental Facilities Authority to finance state facilities as well as court facilities. The bill required that each issuance of securities by the Maine Governmental Facilities Authority be approved by the Legislature.

Committee Amendment "A" (S-297) added a fiscal note to the bill.

House Amendment "A" (H-737) proposed the following:

1. It required a two-thirds vote of approval in each House of the Legislature prior to the issuance of any securities;
2. It lowered the debt ceiling from \$70,000,000 to \$60,000,000 and allocated \$30,000,000 of that lower amount for the Judicial Branch; and
3. It added a requirement that the Commissioner of Administrative and Financial Services submit a plan by January 15, 1998 that describes a method to finance the Maine Governmental Facilities Authority debt service and related costs.

Senate Amendment "A" (S-336) proposed to eliminate the power of eminent domain from the proposed Maine Governmental Facilities Authority.

Enacted law summary

Public Law 1997, chapter 523 establishes the Maine Governmental Facilities Authority for the purpose of financing the renovation or construction of state and judicial department facilities.

The bill proposed to incorporate the existing provisions of the Maine Court Facilities Authority Act and permits the Maine Governmental Facilities Authority to finance state facilities as well as court facilities. Each issuance of securities by the Maine Governmental Facilities Authority must be approved by a two-thirds vote in each House of the Legislature.

The debt ceiling of the authority is set at \$60,000,000 - \$30 million for the Judicial Branch and \$30 million for State facilities. The Commissioner of Administrative and Financial Services must submit a plan by January 15, 1998, on how to finance the debt service and related costs of the authority.

LD 1764 An Act to Establish an Office of Regulatory Reform within the CARRIED OVER
Executive Branch

<u>Sponsor(s)</u>	<u>Committee Report</u>	<u>Amendments Adopted</u>
MACK LIBBY		

LD 1764 proposes to establish the Office of Regulatory Reform in the Governor’s Office. The office would review all proposed rules and could review existing rules according to criteria listed in the bill. The purpose of the review is to assure that the benefits of the rule outweigh its costs and that the rule is based on scientific and economic evidence. The committee felt that the bill had merit but found concerns regarding the location of the office in the Executive Branch and with the interplay of existing rules review procedures under the Administrative Procedure Act. The bill was carried over to the Second Regular Session.

LD 1774 An Act to Promote Fiscal Accountability in State Contracts for ONTP
Services

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

LD 1774 proposed to require the State Purchasing Agent to collect and maintain information about the cost of administering contracts for services.

LD 1777 An Act to Permit the Creation of Cooperative Municipal Fire CARRIED OVER
Districts

<u>Sponsor(s)</u>	<u>Committee Report</u>	<u>Amendments Adopted</u>
DAGGETT GAGNON		