

MAINE STATE LEGISLATURE

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**STATE OF MAINE
119TH LEGISLATURE**

FIRST REGULAR SESSION

**BILL SUMMARIES
JOINT STANDING COMMITTEE
ON
STATE AND LOCAL GOVERNMENT**

JULY 1999

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ONE HUNDRED NINETEENTH LEGISLATURE
FIRST REGULAR SESSION

Summary Of Legislation Before The Joint Standing and Select Committees
August 1999

We are pleased to provide this summary of all bills that were considered by the Joint Standing and Select Committees of the Maine Legislature this past session. The document is a compilation of bill summaries which describe each bill and relevant amendments, as well as the final action taken. Also included are statistical summaries of bill activity this session for the Legislature and each of its joint standing and select committees.

The document is organized for convenient reference to information on bills considered by the committees. It is organized 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
ENACTMENT FAILED..... Bill failed to get vote required for enactment or final passage
NOT PROPERLY BEFORE THE BODY..... Ruled out of order by the presiding officers; bill died
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 September 18, 1999.

<u>Sponsor(s)</u>	<u>Committee Report</u>	<u>Amendments Adopted</u>
BERUBE AHEARNE	OTP-AM	S-93

LD 689 proposed to allow endowment funds of governmental public libraries to be invested on the same basis as funds of nongovernmental libraries. It also proposed to require that the investments be made pursuant to an investment policy that is adopted by the municipal officers and to require periodic financial reporting. Some municipal public libraries are organized as separate nonprofit corporations; others exist as a department of municipal government. Under current law, when the separate, nongovernmental libraries receive bequests or gifts for endowments, they are permitted to make investments in accordance with the Uniform Management of Institutional Funds Act; libraries that are departments of municipal government, however, are limited to the permissible investments for municipalities under the Maine Revised Statutes, Title 30-A, section 5719.

Committee Amendment "A" (S-93) proposed to clarify current law that limits how municipal public library endowment and trust funds may be invested. Specifically, this amendment proposed to replace the original bill and to apply the provisions of the Maine Revised Statutes, Title 13, chapter 97 (The Uniform Management of Institutional Funds Act) to municipal libraries.

Enacted law summary

Public Law 1999, chapter 135 amends the Uniform Management of Institutional Funds Act by specifically applying the provisions of Maine Revised Statutes, Title 13, chapter 97 to municipal public libraries.

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

LD 709 proposed to amend current law governing legislative leaves of absence. Under current law, all employers with more than five employees are required to grant any employee a leave of absence so that employee can serve as a Legislator for a single two-year legislative term. After that first term of service, the employer is not obligated to provide that leave of absence for successive terms. The only exception to that rule is with regard to school teachers and the school units who employ them. The school units and the municipalities who are the teachers' employers are obligated to provide unlimited leaves of absence for a school teacher who is a Legislator. This bill proposed to establish a uniform rule that applies to all employees in the State by removing the right to unlimited leaves of absence that apply to school teachers.

Committee Amendment "A" (H-144) proposed to retain the current notice requirements for teachers to request a leave of absence for legislative service. The original bill had conflicting requirements. This amendment also proposed to clarify how payment would be provided for the services of the State Board of Arbitration and Conciliation, which hears appeals to the leave-of-absence requirement for employers who believe the leave would constitute an unreasonable hardship. This amendment was not adopted.