

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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*Christopher J. Spruce, Legislative Analyst
Danielle D. Fox, Legislative 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 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.

The new resolve authorizes the Director of the Levinson Center to review the proposed easement to ensure the safety of the users of the Center and to consult with the Director of the Bureau of General Services and John Burke with regard to any changes needed to ensure the safety of Center users. The new resolve requires that the easement not be granted to John Burke until a survey of the property over which the easement is to be granted has been completed. The resolve also requires John Burke to pay for the survey. Several sections of the 1983 resolve were repealed by the new resolve. Finally, the resolve is repealed in the event that parties fail to reach agreement by October 1, 2000.

LD 1800 **An Act Concerning Standards for Operation and Maintenance of Radio Antenna Towers** **PUBLIC 269**

<u>Sponsor(s)</u>	<u>Committee Report</u>	<u>Amendments Adopted</u>
LAWRENCE WHEELER G	OTP-AM MAJ ONTP MIN	S-180

LD 1800 proposed to prohibit municipalities from adopting ordinances regulating amateur radio antennas that are in conflict with Federal Communications Commission regulations. The bill proposed to allow ordinances to regulate the placement, screening or height of such radio antennas based on health, safety or aesthetic considerations as long as the ordinances reasonably accommodate amateur radio communications and represent the minimal practicable regulation to accomplish the town's or city's legitimate purpose.

Committee Amendment "A" (S-180) proposed to delete a reference to a specific Federal Communications Commission policy and to replace it with a general reference to Federal Communications Commission regulations.

Enacted law summary

Public Law 1999, chapter 269 codifies a federal preemption against municipal regulation of amateur radio antennas that exceeds what is permissible under Federal Communications Commission regulation. The law allows municipalities to adopt ordinances to regulate the placement, screening or height of amateur radio antennas if the ordinances are based on health, safety or aesthetic considerations and represent the minimum practicable regulation to accomplish the municipality's legitimate purpose.

LD 1843 **An Act to Require That Local Officials Take On-the-record Stands When They Are Responsible for Laws That Decrease Property Taxes** **ONTP**

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

LD 1843 proposed to require a municipal official to make a public and on-the-record statement of the official's position if the municipal official votes for or positively participates in the enactment of an ordinance or regulation that decreases property taxes or the tax base of the municipality.