

# **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*

*Rep. Douglas J. Ahearne, Chair*

*Rep. William Lemke*

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*Rep. Belinda A. Gerry*

**Staff:**

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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

**LD 892**

**An Act to Require Municipalities to Purchase Insurance by Competitive Bidding**

**ONTP**

Sponsor(s)  
BENOIT  
GOOLEY

Committee Report  
ONTP

Amendments Adopted

LD 892 proposed to require municipalities to use a competitive bidding process when purchasing insurance. The bill mirrored the current requirement of competitive bidding for school districts.

**LD 926**

**Resolve, Creating a Special Commission to Erect a Plaque in the Hall of Flags Honoring Those Who Served in the Civilian Conservation Corps from Maine**

**ONTP**

Sponsor(s)  
CHICK  
KILKELLY

Committee Report  
ONTP

Amendments Adopted

LD 926 proposed to create a special commission to erect a plaque in the Hall of Flags honoring members of the Civilian Conservation Corps from Maine.

**LD 937**

**An Act Relating to the State's Deferred Compensation Plan**

**PUBLIC 204**

Sponsor(s)  
MAYO  
MILLS

Committee Report  
OTP-AM

Amendments Adopted  
H-232

LD 937 proposed to:

Allow an increase in the number of firms providing investment products to state employees participating in tax-deferred arrangements;

Change the name of the Advisory Council on Deferred Compensation Plans to the Advisory Council on Tax-deferred Arrangements;

Clarify the eligibility and requirements of firms selected by the advisory council to manage or receive contributions as part of a tax-deferred arrangement; and

Allow state employees to use tax-deferred arrangements authorized for state and local employees by the Internal Revenue Code but previously unavailable under prior state law.

**Committee Amendment "A" (H-232)** clarified a reference, removed the Maine State Retirement System from the Advisory Council on Tax-deferred Arrangements and allowed participants to continue to invest with a previously selected firm if they already have an established account. The Commissioner of Administrative and Financial

Services is required to submit a report to the joint standing committee of the Legislature having jurisdiction over state and local government matters no later than February 15, 1999.

***Enacted law summary***

Public Law 1997, chapter 204 increases the number of firms providing products to state employees participating in tax-deferred arrangements.

**LD 943**

**An Act to Amend the Law Governing Municipal Zoning with Respect to Community Living Arrangements**

**PUBLIC 442**

<u>Sponsor(s)</u>	<u>Committee Report</u>		<u>Amendments Adopted</u>
DAGGETT	OTP-AM ONTP	MAJ MIN	S-263

LD 943 proposed to amend the current law governing municipal zoning with respect to group housing facilities for persons with disabilities, known as “community living arrangements.” In order to bring the law into compliance with federal laws, it proposed to repeal the provisions setting density limits and requiring a public hearing when such facilities propose to locate in residential zones. It also proposed to amend the laws specifying what type of municipal ordinances may be enacted affecting such facilities.

**Committee Amendment "A" (S-263)** replaced the bill. It proposed to strike the current law regarding municipal ordinances and community living arrangements in order to repeal provisions that violate federal law and to rewrite and clarify the remaining provisions. The amendment continued the requirement that municipalities consider community living arrangements to be single-family uses of property for purposes of zoning.

***Enacted law summary***

Public Law 1997, chapter 442 strikes the current law regarding municipal ordinances and group housing facilities for persons with disabilities, known as “community living facilities” in order to repeal provisions that violate federal law and to rewrite and clarify the remaining provisions. The law continues the requirement that municipalities consider community living arrangements to be single-family uses of property for purposes of zoning and repeals the provisions of current law setting density limits, requiring public hearings in certain circumstances and specifying what type of municipal ordinances can be enacting affecting such facilities.

**LD 945**

**An Act to Establish Basic Standards and Procedures for Personal Services Contracting by the State**

**PUBLIC 285**

<u>Sponsor(s)</u>	<u>Committee Report</u>		<u>Amendments Adopted</u>
DAGGETT KONTOS	OTP-AM ONTP	MAJ MIN	S-98

LD 945 proposed to establish minimum standards that must be met by State Government before it contracts for personal services outside of the civil service system. Notice of intent to contract would be required to be given to organizations that represent employees.