

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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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:

<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 & 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&S XXX</i>	<i>Chapter # of enacted Private & 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

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 PUBLIC 442
Respect to Community Living Arrangements

<u>Sponsor(s)</u>	<u>Committee Report</u>	<u>Amendments Adopted</u>
DAGGETT	OTP-AM MAJ ONTP 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 PUBLIC 285
Services Contracting by the State

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

Committee Amendment "A" (S-98) proposed to strike out the requirements for notification to all organizations that represent state employees and replace it with language that requires a department to retain the data for any proposals for contracts.

Enacted law summary

Public Law 1997, chapter 285 establishes minimum standards that must be met before it contracts for personal services outside of the civil service system. The state must show that (1) there will be overall cost savings to the state, (2) those services are currently unavailable within a state agency, and (3) the services are of an urgent, temporary or occasional nature.

LD 946 An Act to Protect the Confidentiality of Financial Records PUBLIC 201

<u>Sponsor(s)</u> JENKINS VIGUE	<u>Committee Report</u> OTP-AM	<u>Amendments Adopted</u> S-148
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LD 946 proposed to amend the law requiring municipalities to keep confidential certain records that they receive in connection with applications for economic development assistance. Current law requires that records relating to individuals be kept confidential; the bill extended confidentiality to the records of certain partnerships, limited partnerships, limited liability companies and corporations.

Committee Amendment "A" (S-148) added language providing that the confidentiality of information provided to a municipality during the course of the application process with the Department of Economic and Community Development is governed by that department's confidentiality law.

Enacted law summary

Public Law 1997, chapter 201 requires municipalities to maintain confidentiality for records that they receive in connection with applications for economic development assistance from certain partnerships, limited partnerships, limited liability companies and corporations. Current law requires records of individuals to be kept confidential. The law also provides that the confidentiality of information provided to a municipality during the course of the application process with the Department of Economic and Community Development is governed by that department's confidentiality law.

LD 948 An Act to Permit County Commissioners to Retain the Services of a Road Commissioner ONTP

<u>Sponsor(s)</u> MILLS	<u>Committee Report</u> ONTP	<u>Amendments Adopted</u>
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LD 948 proposed to authorize county commissioners to hire a qualified person to serve as county road commissioner.