

# MAINE STATE LEGISLATURE

The following document is provided by the  
**LAW AND LEGISLATIVE DIGITAL LIBRARY**  
at the Maine State Law and Legislative Reference Library  
<http://legislature.maine.gov/lawlib>



Reproduced from electronic originals  
(may include minor formatting differences from printed original)

STATE OF MAINE  
118TH LEGISLATURE

SECOND REGULAR SESSION  
AND  
SECOND SPECIAL SESSION

BILL SUMMARIES  
JOINT STANDING COMMITTEE  
ON  
STATE AND LOCAL GOVERNMENT

MAY 1998

**MEMBERS:**

*Sen. John M. Nutting, Chair*

*Sen. Jill M. Goldthwait*

*Sen. James D. Libby*

*Rep. Douglas J. Ahearne, Chair*

*Rep. William Lemke*

*Rep. Lucien A. Dutremble*

*Rep. Martha A. Bagley*

*Rep. Laura Sanborn*

*Rep. F. Thomas Gieringer, Jr.*

*Rep. Randall L. Bumps*

*Rep. Robert F. Fisk, Jr.*

*Rep. Susan Kasprzak*

*Rep. Belinda A. Gerry*

**Staff:**

*Deborah C. Friedman, Legislative Analyst*

*Danielle D. Tetreau, 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  
SECOND REGULAR AND SECOND SPECIAL SESSIONS**

**Summary Of Legislation Before The Joint Standing Committees  
May 1998**

We are pleased to provide this summary of bills that were considered by the Joint Standing Committees of the Maine Legislature. 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 committees.

The document is organized for convenient reference to information on bills handled by the joint standing 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](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:

*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 Second Regular Session (unless otherwise specified in a particular law) is June 30, 1998 and July 9, 1998 for the Second Special Session. Second Special Session laws include Public Laws beginning with Chapter 718, Private and Special Laws beginning with Chapter 82 and Resolves beginning with Chapter 117.

**LD 1764****An Act to Establish an Office of Regulatory Reform within the Executive Branch****ONTP**

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

LD 1764 proposed to establish the Office of Regulatory Reform in the Executive branch to review agency rules according to nine criteria listed in the bill. The review would have been conducted on all proposed rules and on any existing rule upon the request of 15 legislators. The purpose of the review was to assure that the benefits of a rule outweigh its costs, that each rule is based on scientific and economic evidence and that adoption of the rule would represent a sound policy decision.

**LD 1777****An Act to Permit the Creation of Municipal Fire Districts****PUBLIC 698**

<u>Sponsor(s)</u>	<u>Committee Report</u>	<u>Amendments Adopted</u>
DAGGETT GAGNON	ONTP MAJ OTP-AM MIN	S-553

LD 1777 proposed to set forth a process by which one or more municipalities may join together and form a cooperative municipal fire district. The district would be managed by a board of directors made up of representatives of each member municipality. The directors would determine the budget and municipal contributions toward the district budget. The district would issue a warrant to the municipality for the amount due the district and the municipal tax collector or constable would collect the tax from municipal inhabitants in the same manner as they collect municipal taxes.

**Committee Amendment "A" (S-553)** proposed to give municipalities more flexibility to form and operate fire districts by removing language specifying matters such as the number of directors representing each municipality and the time frame of the fiscal year. Municipalities would be required to negotiate an agreement on these matters and other operational matters prior to voting on formation of the district. The amendment also provides for adding municipalities to the district after its initial formation, requires the officers of the district to file notice of dissolution with the Secretary of State, and removes language limiting the district to providing fire protection only within the municipal boundaries. The amendment also removes the word "cooperative" from the title of the bill, since that term refers to a type of organization different from that described in the bill.

***Enacted law summary***

Public Law 1997, chapter 698 establishes a process by which one or more municipalities can join together and form a municipal fire district. The district is managed by a board of directors made up of representatives of each member municipality. The directors determine the budget and municipal contributions toward the district budget. The district issues a warrant to each municipality for the amount due the district and the municipal tax collector or constable collects the tax from municipal inhabitants in the same manner as they collect municipal taxes. The municipalities must negotiate an agreement relating to district management issues before voting to form the district.