

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.

LD 93

An Act Requiring Interim Annual Budgets for Municipalities

ONTP

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

LD 93 proposed to require the continued operation of a municipal government by means of an interim budget in the event that a public vote in that municipality does not result in the adoption of an annual budget. The interim budget could not exceed the previous year’s budget and would be replaced by the annual budget if and when that budget is finally approved by voters of the municipality.

LD 98

An Act to Observe Daylight Savings Time Year-round

ONTP

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

LD 98 proposed to change the standard time in Maine to one hour earlier than Eastern Standard Time. This translates into the observation of Daylight Savings Time year-round. Federal law (15 USC Sec. 260a) prevents states from making any changes in the timing or changeover dates for Daylight Savings Time.

LD 127

An Act to Terminate the Authority of the Governmental Facilities Authority

DIED IN CONCURRENCE

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

LD 127 proposed to terminate the authority of the Maine Governmental Facilities Authority to exercise its powers and duties beyond the effective date of the bill except for those projects for which securities have already been issued.

Committee Amendment "A" (S-146) was the minority report, which was not adopted. It proposed to replace the original bill and to clarify the intent of the original bill that the Maine Governmental Facilities Authority be prohibited from undertaking new projects or financing projects other than those approved by the Legislature prior to January 1, 1999. The amendment also proposed to enable the authority to carry out its responsibilities for current projects and outstanding debt on those projects.

LD 139

An Act Authorizing County Commissioners to Enact Animal Control Ordinances in Unorganized Territories

PUBLIC 106

<u>Sponsor(s)</u>	<u>Committee Report</u>	<u>Amendments Adopted</u>
AHEARNE PENDLETON	OTP-AM MAJ ONTP MIN	H-145

LD 139 proposed to authorize county commissioners of each county to adopt animal control and noise ordinances within unorganized territory in their county.

Committee Amendment "A" (H-145) proposed to replace the original bill and to authorize county commissioners of each county to adopt animal control ordinances within the unorganized territory in their county. The amendment proposed to remove reference to noise ordinances from the bill. It also proposed to require a 14-day notice of any meeting at which a proposed animal control ordinance is to be adopted.

Enacted law summary

Public Law 1999, chapter 106 amends the current law regarding the types of services that may be provided by county commissioners to the residents of the unorganized territory. The law authorizes county commissioners of each county to provide animal control services to the unorganized territory in their county by adopting animal control ordinances. Public Law 1999, chapter 106 requires county commissioners to provide 14 days notice of the meeting at which a proposed animal control ordinance is to be enacted.

LD 157

An Act to Allow Review of Examination-related Issues in Executive Session

PUBLIC 40

<u>Sponsor(s)</u>	<u>Committee Report</u>	<u>Amendments Adopted</u>
MAYO ABROMSON	OTP-AM MAJ ONTP MIN	H-25

LD 157 proposed to authorize a body or agency of State Government to deliberate in executive session concerning various aspects of the licensing examination process.

This bill was submitted on behalf of the Department of Professional and Financial Regulation.

Committee Amendment "A" (H-25) proposed to replace section 2 of the original bill and to restrict the exemptions to state law governing executive sessions to discussion or approval of the content of licensing examinations, consultation between a board or an agency and any entity that provides to the board or agency examination services concerning examination content, and review of examinations with the person examined.

Enacted law summary

Public Law 1999, chapter 40 amends the current law governing executive sessions. It authorizes a body or agency of State Government to deliberate in executive session to discuss or approve a number of matters related to licensing examinations. These matters are: the content of examinations, consultation with an examination provider regarding the content of examinations, and review of the results of an examination with the person examined.

LD 164

An Act to Require Notice Prior to the Posting of Roads by Municipalities

ONTP

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

LD 164 proposed to allow county commissioners or municipal officers to place restrictions on gross weight, speed, operation and equipment on public ways other than state and state aid highways and bridges. This bill proposed to allow county commissioners or municipal officers to retain their ability to establish such restrictions, but would have required that a public meeting be advertised and held before the restrictions were imposed. The bill also would have shifted the responsibility to the State Police for enforcing restrictions placed on all roads in the State.