

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.

6. This bill would authorize the new governance structure for unorganized towns to enter into contracts with counties, municipalities and the state, as well as Native Americans, for various services.
7. It would require county services to the unorganized towns to be phased out over three years.
8. This bill would not affect the sovereignty of unorganized territory owned by Native Americans, but does allow cooperative agreements to be developed among Native Americans and the council of the unorganized towns. It also would require Native Americans to establish zoning and land use plans for their lands in the unorganized towns.
9. It would require that a name and a seat of government be established for the unorganized towns operating through their governance structure.
10. It would grant all rights and privileges of organized municipalities, towns and cities to the unorganized towns operating through their governance structure.
11. This bill would require the unorganized towns, operating through their governance structure, to draft a charter.
12. It would allow islands to petition the governance board to contract services with neighboring communities.
13. This bill would require plantations to develop their own zoning plans.
14. It would allow organized municipalities to deorganize in the future and, with permission of the Legislature, to join the governance system of the unorganized towns.

A subcommittee of the Joint Standing Committee on State and Local Government has been charged with acquiring additional information about the proposals contained in the bill and with directing staff in redrafting the bill. The subcommittee will report back to the State and Local Government Committee during the Second Regular Session of the 119th Legislature.

LD 304

Resolve, to Establish the Task Force on State Office Building Location, Other State Growth-related Capital Investments and Patterns of Development

**RESOLVE 63
EMERGENCY**

<u>Sponsor(s)</u>	<u>Committee Report</u>	<u>Amendments Adopted</u>
GAGNON CAREY	OTP-AM MAJ ONTP MIN	H-292 S-458 MICHAUD

LD 304 proposed to create the State Office Building Location Task Force to assess the impact of relocating state offices away from service center communities and away from traditional downtown service centers.

Committee Amendment "A" (H-292) proposed to rename the resolve and the task force created by the resolve and to expand the task force's duties to include growth-related capital investment within and outside areas that have been designated by municipalities for growth and redevelopment. It also proposed to expand task force membership and to allow the task force to establish working groups to help it carry out its duties. The amendment also proposed that the task force consider the concepts contained within other related legislation presented to the 119th Legislature and to assess the impact of growth-related capital investments within and outside of locally designated growth areas. It also proposed to add an appropriation of \$4,175 to cover the costs of the task force.

Senate Amendment "A" to Committee Amendment "A" (S-458) proposed to change the title of the resolve and the name of the task force created by the resolve. The amendment proposed to change the membership of the task force to

include 13 Legislators and to expand the task force's duties to include making findings on growth-related capital investments, fiscal policies, coordination of state and local urban transportation planning and the productive use of farms and woodlands and the preservation of open space. The amendment would authorize the task force to hold up to six meetings, including at least one public hearing. The amendment also would add an appropriation section, an emergency preamble and an emergency clause to the resolve.

Enacted law summary

Resolve 1999, chapter 63 establishes the 13-member Task Force on State Office Building Location, Other State Growth-related Capital Investments and Patterns of Development. The task force members are to be appointed as follows: five members from the Senate, appointed by the President of the Senate, including one each from the following joint standing committees: Natural Resources, Business and Economic Development, Transportation, Taxation, and Agriculture, Conservation and Forestry; eight members from the House, appointed by the Speaker of the House of Representatives, including at least one each from the following joint standing committees: Natural Resources, Business and Economic Development, Transportation, Taxation, Agriculture, Conservation and Forestry, State and Local Government, and Education and Cultural Affairs. The task force is charged with reviewing legislation relating to patterns of development carried over by the First Regular Session of the 119th Legislature and with making findings on the following issues:

1. Role of state office buildings in the continued viability of downtown service centers within the state and the impact of growth-related capital investments and location decisions by the State;
2. Fiscal policies that may have the effect of pushing rural lands out of productive use;
3. Coordination of state and local urban transportation planning and streamlining of local and state land use rules and regulations;
4. Productive use of farms and woodlands and the preservation of open space around urbanizing areas; and
5. Other such areas as the task force considers appropriate.

The task force also is charged with assessing how other states have responded to these issues and with making recommendations to the Legislature concerning pending legislation and on new legislation. The task force is authorized to hold up to six meetings and at least one public hearing on its recommendations prior to submitting its final report to the Legislature by December 15, 1999.

Chapter 63 was enacted as an emergency measure effective June 10, 1999.

LD 348

An Act Requiring Audits on State Agencies

ONTP

Sponsor(s)
LOVETT

Committee Report
ONTP

Amendments Adopted

LD 348 proposed to require every state agency receiving state funds to undergo an audit over the next six years by outside auditors selected through competitive bidding. Under the bill, the Governor would have determined which agencies were to be audited in which year, with the exception of the Department of Human Services and the Department of Transportation, which were to be audited in the first year of the audit process.