

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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*Christopher J. Spruce, Legislative Analyst
Danielle D. Fox, Legislative 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 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 592

An Act to Establish the Chesuncook Soil Series as the Official State Soil and to Remove Enhanced Protection Status from State Symbols

PUBLIC 70

<u>Sponsor(s)</u>	<u>Committee Report</u>	<u>Amendments Adopted</u>
CATHCART STEVENS	OTP-AM MAJ ONTP MIN	H-165 CAMERON S-29

LD 592 proposed to establish the Chesuncook soil series as the official state soil.

Committee Amendment "A" (S-29) proposed to add a section to the bill to specify that designation as an official state symbol does not confer enhanced protection under environmental or other applicable laws.

House Amendment "A" to Committee Amendment "A" (H-121), which was not adopted, proposed to establish the Caribou soil series as the official state soil and to correct a numbering conflict.

House Amendment "B" to Committee Amendment "A" (H-130), which was not adopted, proposed to establish Sebago mucky peat as the official state dirt and to correct a numbering conflict.

House Amendment "C" to Committee Amendment "A" (H-165) was presented on behalf of the Committee on Bills in the Second Reading to avoid a section numbering conflict with Public Law 1999, chapter 27.

Enacted law summary

Public Law 1999, chapter 70 establishes the Chesuncook soil series as the official state soil. The law specifies that enhanced protection under environmental or other laws is not conferred upon the soil as an official state symbol.

LD 602

An Act to Require Mandatory Training for Harbor Masters

ONTP

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

LD 602 proposed to require, beginning January 1, 2000, that a harbor master complete a harbor master training course certified by a statewide association of harbor masters within one year of appointment as harbor master.

LD 615

RESOLUTION, to Amend the Constitution of Maine to Elect 2 Senators from Each County

ONTP

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

LD 615 proposed to amend the Constitution of Maine to enable the election of two senators from each of Maine's 16 counties. The proposed constitutional amendment would reduce the size of the Senate from no more than 35 members to 32 members. The redrawing of district lines would occur during the regularly scheduled redistricting following the decennial census. The redistricting would be done in 2003.

Committee Amendment "A" (H-408), which was not adopted, would have added a fiscal note to the resolution.

LD 621 **An Act to Allow Towns to Sand and Plow Private Ways** **ONTP**

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

LD 621 proposed to allow a municipality to sand and plow private ways if the voters of that municipality have voted at a public meeting to sand and plow designated private roads.

LD 627 **An Act to Require the Legislature to Examine Executive Orders for Violations of Separation of Powers** **DIED BETWEEN BODIES**

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

LD 627 proposed to establish a mechanism for the Legislature and the Supreme Judicial Court to review the constitutionality of executive orders issued by the Governor. The bill also proposed to require the Governor to document the emergency that gave rise to the executive order and limit the effect of the executive order to the duration of the emergency.

Committee Amendment "A" (H-143), which was adopted by the House, but not by the Senate, proposed to require the Governor to disseminate executive orders to each member of the relevant joint standing committee of the Legislature. The amendment proposed to change title of the bill to reflect this requirement.

LD 648 **An Act Related to Legislator Intervention in Actions Before a State Agency or Authority** **ONTP**

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

LD 648 proposed to make it a conflict of interest for a Legislator to intervene in an action before a state agency or authority whose members are appointed by the legislative committee on which the Legislator serves.

LD 660 **An Act to Include Counties in the Definition of Local Government in the Archives and Records Management Law** **PUBLIC 12**

<u>Sponsor(s)</u>	<u>Committee Report</u>	<u>Amendments Adopted</u>
GOLDTHWAIT SAXL J	OTP	

LD 660 proposed to bring the law into compliance with the assumption that counties continue to be covered by current state law governing recordkeeping. When the Municipal Records Board and the County Records Board were both