

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.

Public Law 1999, chapter 440 amends the current law governing membership of the Hancock County Budget Advisory Committee. It establishes that the committee shall consist of 10 members, three members from each commissioner district selected at district caucuses and one member of the Hancock County legislative delegation. The new law also enables each annual commissioner district caucus to elect either a municipal officer or one representative from the public as its representative to the budget advisory committee. Each advisory committee member elected at the annual caucus serves a three-year term. Public Law 1999, chapter 440 requires that the county commissioners give public notice of the annual commissioner district caucuses and that the election of budget advisory committee members at those caucuses be conducted in the same manner provided for at town meetings in MRSA, Title 30-A, chapter 121.

LD 1014

An Act to Allow Private Maintenance of Public Easements

ONTP

<u>Sponsor(s)</u>	<u>Committee Report</u>	<u>Amendments Adopted</u>
MCKEE NUTTING J	ONTP	

LD 1014 proposed to allow persons who are directly benefited by a public easement to utilize a statutory procedure for collecting funds to maintain the public easement. It also proposed to create a study group to examine issues relating to public easements, including examination of the rights, responsibilities and burdens created by public easements and how to ensure fairness to all parties affected by public easements.

LD 1038

An Act to Prohibit Conflicts of Interest for Persons Serving on State Agencies, Boards or Commissions

ONTP

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

LD 1038 proposed to prohibit conflicts of interest for persons serving on state agencies, boards or commissions. It proposed to prohibit a person from serving as a member on an agency, board or commission if that person held any interest in any contract or proposed contract of that agency, board or commission. It also proposed to prohibit board membership if that person’s spouse, child, parent or sibling held any interest in any contract or proposed contract of that agency, board or commission. A board member found in violation of the proposed law would have been allowed to serve for six months from the date on which the violation began or until a new member was named, whichever occurred first.

LD 1048

An Act to Amend the Androscoggin County Budget Process

PUBLIC 253

<u>Sponsor(s)</u>	<u>Committee Report</u>	<u>Amendments Adopted</u>
BOUFFARD DOUGLASS	OTP-AM MAJ ONTP MIN	H-321

LD 1048 proposed to amend the budget approval process for Androscoggin County by removing the requirement that the budget be submitted to the Legislature for final approval. Instead, the existing budget committee would be empowered to adopt the budget, which must then be submitted to the county commissioners. The bill also proposed that the county commissioners be empowered to alter the budget committee's budget only by a unanimous vote; and, if the commissioners were to do so, the budget committee could reject the county commissioners' change by a two-thirds vote.

The bill also proposed to increase the number of members on the committee from nine to 11 members. The two additional members were required to be Androscoggin County legislative delegation members.

Committee Amendment "A" (H-321) proposed to amend the original bill by requiring that the two legislative members of the budget committee be elected by the Androscoggin County legislative delegation and that any vacancy in legislative seats on the budget committee be filled by the Androscoggin County legislative delegation.

Enacted law summary

Public Law 1999, chapter 253 amends current law governing the budget approval process for Androscoggin County. The law eliminates the requirement that the annual county budget be submitted to the Legislature for final approval. The process established under the new law will empower the county budget committee to adopt the budget, which must then be submitted to the Androscoggin County commissioners. The law requires a unanimous vote by the commissioners to alter the budget submitted to them by the budget committee. It also requires a two-thirds vote by the budget committee to reject the changes made by the county commissioners. Public Law 1999, chapter 253 expands the budget committee membership from nine to 11 members with the two additional members elected by the Androscoggin County legislative delegation from among its membership. A vacant legislative seat on the Androscoggin County Budget Committee must be filled by the legislative delegation.

LD 1104 **An Act to Amend the Maine Governmental Facilities Authority** **NOT PROPERLY BEFORE BODY**

<u>Sponsor(s)</u> ETNIER	<u>Committee Report</u>	<u>Amendments Adopted</u>
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LD 1104 proposed to require a two-thirds vote of approval in each House of the Legislature before the Maine Governmental Facilities Authority could authorize the issuance of securities to fund the construction, reconstruction, purchase or acquisition of facilities.

The bill was ruled not properly before the body in both the House and the Senate.

LD 1107 **An Act to Prohibit Municipalities from Imposing Licensing Standards for Businesses and Occupations** **ONTP**

<u>Sponsor(s)</u> GLYNN	<u>Committee Report</u> ONTP	<u>Amendments Adopted</u>
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LD 1107 proposed to prohibit municipalities from regulating commercial businesses and occupations beyond that which is required by the State except for purposes of public safety and public health. The prohibition also would not have applied to municipal regulations of taxicabs and massage parlors.

LD 1131 **An Act Regarding Municipal Notification and Approval in the Siting of Community Living Arrangements Within a Municipality** **ONTP**

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