

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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Sen. Jill M. Goldthwait
Sen. Paul T. Davis*

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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.

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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LD 1131 proposed to require community living arrangements to provide written notice to municipal officers prior to obtaining a permit to build or occupy a community living arrangement, to provide information at a public meeting and to obtain the approval of the municipal officers. If enacted, this bill as written may have violated provisions of the Federal Fair Housing Act of 1988.

LD 1146 **An Act to Amend the Laws Authorizing the Renovation of the State Capitol Building and Other State Buildings** **NOT PROPERLY BEFORE BODY**

<u>Sponsor(s)</u> PLOWMAN	<u>Committee Report</u>	<u>Amendments Adopted</u>
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LD 1146 proposed to remove the authority of the Maine Governmental Facilities Authority to issue securities for the purposes of paying the cost of the construction of a connector between the State Office Building and the State Capitol Building; the preservation and renovation of the State Capitol Building; and the renovations of the State Office Building, the Tyson Building and the Marquardt Building.

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

LD 1178 **An Act Concerning Public Postings by Political Parties** **ONTP**

<u>Sponsor(s)</u> GLYNN	<u>Committee Report</u> ONTP	<u>Amendments Adopted</u>
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LD 1178 proposed to require municipalities to provide public space for posting notices by political parties. The proposed designated space would be “conspicuous” and “in a public area.” Under the bill, municipalities would retain their authority to remove materials that violate state or federal laws.

LD 1190 **An Act to Allow Greenings Island to Secede from the Town of Southwest Harbor** **ONTP**

<u>Sponsor(s)</u> GOLDTHWAIT	<u>Committee Report</u> ONTP	<u>Amendments Adopted</u>
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LD 1190 proposed to authorize the incorporation of Greenings Island if the legal residents of that territory approved, by referendum, separation from the Town of Southwest Harbor. It also proposed to clarify the binding arbitration process that would be used to settle disputes between the Town of Southwest Harbor and the proposed Town of Greenings Island with regard to the allocation of duties and responsibilities between the two municipalities.

LD 1200 **An Act to Amend the Laws Pertaining to Excise Tax Collection** **INDEF PP**

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