

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

MEMBERS:

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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.

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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LD 1200 proposed to require the State to supply to municipal agents any equipment that the State requires municipal agents to use in the performance of their duties as vehicle registration agents.

Committee Amendment "A" (S-134), which was not adopted, proposed to amend the bill by requiring the Secretary of State to provide a maximum of one validation stamp to each municipal agent every two years. If the State changes the official validation stamp, the Secretary of State would have to provide each municipal agent with one new validation stamp. It also proposed to add an allocation section to the bill.

LD 1222 An Act to Change the Budget Approval Procedures for Somerset County ONTP

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

LD 1222 proposed to require a majority of elected voting members of the Somerset County Budget Advisory Committee to be present to constitute a quorum. This bill also would have amended current law to give the Somerset County Commissioners final say on the Somerset County budget.

LD 1227 Resolve, Regarding State Mandates Imposed Before Approval of the ONTP
Constitutional Amendment Governing State Mandates

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

LD 1227 proposed to expand the identification of unfunded mandates passed by the Legislature. The voters approved an amendment to the Constitution of Maine, effective November 23, 1992, that prohibited the imposition of mandates on local units of government unless enacted by a two-thirds vote of the Legislature or unless at least 90% funding is provided by the State. This resolve proposed to require the Legislative Council to identify any unfunded mandates passed in the biennium before the Constitutional Amendment went into effect and to apply the provisions of the amendment to those mandates as well.

LD 1231 An Act to Allow Special-use Access over Discontinued Municipal and ONTP
County Roads

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

LD 1231 proposed to permit a person to transport timber over a discontinued municipal or county road if the timber was cut on property owned by that person and a public easement existed in the discontinued road. It also would have permitted the person to clear obstructions from the discontinued road and to improve the road's condition to allow safe travel.