

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. 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 1242**An Act to Establish Procedures for the Awarding of Loans and Grants to Municipalities and Other Entities** **DIED BETWEEN BODIES**

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

LD 1242 proposed to require any agency of State Government that awards grants or loans to adopt rules establishing a written application process and the criteria for awarding a grant or loan.

Committee Amendment "A" (H-374), which was not adopted, proposed to amend the original bill by defining grants and loans as used in the Maine Revised Statutes, Title 5, section 8051-B. It proposed to require that agencies offering grants or loans on a discretionary or competitive basis establish a process for awarding such loans and grants. The amendment also proposed to clarify that the written procedures required under that section are not rules as defined by Title 5, chapter 375, subchapter II-A. It proposed to exempt grants or loans awarded pursuant to Title 5, section 1831 and grants and loans awarded pursuant to criteria and procedures established under federal or state laws that conflict with that section.

LD 1289**An Act to Establish Municipal Zoning Regulations for Community Living Arrangements** **ONTP**

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

LD 1289 proposed to establish a conditional approval process, using a board of zoning appeals, for community living arrangements. This bill also proposed to establish the Commission to Study and Develop Criteria for Siting Community Living Arrangements. The conditional approval process, if established, may have violated provisions of the Federal Fair Housing Act of 1988.

LD 1319**Resolve, to Direct the Governor to Establish a Commission to Recommend to the Governor Candidate Designs for the Maine State Quarter to be Submitted to the United States Mint** **RESOLVE 26**

<u>Sponsor(s)</u>	<u>Committee Report</u>	<u>Amendments Adopted</u>
SMALL	OTP-AM MAJ ONTP MIN	S-135

LD 1319 proposed to require the Governor to establish a commission consisting of seven members to recommend to the Governor candidate designs for the Maine state quarter that the Governor must submit to the United States Mint pursuant to the United States Mint 50 State Quarters Program. It proposed that the commission would establish guidelines and procedures to disseminate to public information concerning the program including the United States Secretary of the Treasury's design criteria for the Maine state quarter and to solicit candidate designs from the public. The commission also would review the design candidates and make recommendations to the Governor to assist the Governor in choosing candidate designs for the Maine State Quarter to submit to the United States Mint.

Committee Amendment "A" (S-135) proposed to require that the commission established by the Governor to recommend candidate designs for the Maine state quarter consist of seven public members.

Enacted law summary

Resolve 1999, chapter 26 requires the Governor to establish a commission consisting of seven public members to recommend to the Governor candidate designs for the Maine state quarter that the Governor must submit to the United States Mint pursuant to the United States Mint 50 State Quarters Program. The commission shall establish guidelines and procedures to disseminate to the public information concerning the program including the United States Secretary of the Treasury's design criteria for the Maine state quarter and to solicit candidate designs from the public. The commission shall review the design candidates and make recommendations to assist the Governor in the choice of designs.

LD 1351 An Act to Require that Members of the Workers' Compensation Board be Subject to Review by the Joint Standing Committee on Labor ONTP

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

LD 1351 proposed to amend the current law that provides that an appointment to the Workers' Compensation Board be subject to review by the joint standing committee of the Legislature having jurisdiction over state and local government matters. This bill proposed that appointments to the Workers' Compensation Board be subject to review by the joint standing committee of the Legislature having jurisdiction over labor matters. The bill was originally referred to the Joint Standing Committee on Labor, which issued a majority report of ought to pass as amended. The House then referred the bill from to the Joint Standing Committee on State and Local Government for its consideration.

LD 1366 An Act to Require Pollution Prevention as a Criterion for Awarding State Contracts ONTP

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

LD 1366 proposed to require contractors who bid for public improvement and public works projects to demonstrate the efforts they have made in their businesses to prevent pollution such as recycling, waste reduction, use of alternative fuels and use of environmentally-friendly products.

Committee Amendment "A" (H-375), which was not adopted, would have clarified that the requirements for pollution prevention apply during the bidding process and only to state-financed projects.

LD 1367 An Act Regarding Notification to Parties Affected by Marine Construction PUBLIC 215

<u>Sponsor(s)</u>	<u>Committee Report</u>	<u>Amendments Adopted</u>
ETNIER	OTP-AM MAJ ONTP MIN	H-222