

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.

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

LD 1367 proposed that any person intending to build or extend any wharf, fish weir or trap in tidewaters in a municipality must provide proof to the municipal officers that all parties that may be directly affected by the proposed construction have been notified of the application. It would permit the municipal officers to name a designee to examine the premises upon which construction is proposed and hear all interested parties. It also would permit the municipal officers to give written notice by regular mail of their decision to all interested parties. Existing law required that this notice to be given by registered mail.

Committee Amendment "A" (H-222) proposed to amend the original bill by requiring any person intending to build or extend any wharf, fish weir or trap in tidewaters of any municipality to apply in writing to the municipal officers. The amendment also proposed to require that the applicant notify all parties directly affected by the proposed construction. It proposed to eliminate the original bill's requirement that the applicant provide proof to municipal officers that parties have been notified.

Enacted law summary

Public Law 1999, chapter 215 amends existing law by requiring any person intending to build or extend a wharf, fish weir or trap in tidewaters of any municipality to apply in writing to the municipal officers of that municipality. It also requires that the applicant notify all parties directly affected by the proposed construction, but does not specify the manner of notice. The law removes a previous requirement that municipal officers use registered mail to notify all parties of their decision on the application. It also authorizes the municipal officers to designate a representative to conduct an on-site examination of the proposed construction.

LD 1379

An Act Regarding Municipal Firearm Discharge Ordinances

PUBLIC 154

Sponsor(s)
POVICH

Committee Report
OTP-AM

Amendments Adopted
H-221

LD 1379 proposed to require that a municipality provide the Commissioner of Inland Fisheries and Wildlife with advance notice of any proposed ordinance that modifies regulations concerning firearm discharges. It also proposed to require a municipality to provide the department with a copy of the new ordinance and any municipal maps showing the areas in the municipality that are affected by the ordinance.

Committee Amendment "A" (H-221) proposed to remove from the original bill a requirement that a municipality notify the Commissioner of Inland Fisheries and Wildlife in advance of the adoption of any new or amended firearm discharge ordinance. It would retain a requirement that within 30 days of its enactment or amendment a municipality send to the commissioner a copy of the new or amended firearm discharge ordinance and any maps showing the areas affected by the new or amended ordinance. The requirement would apply to an ordinance enacted or amended after January 1, 2000.

Enacted law summary

Public Law 1999, chapter 154 amends current law governing municipal firearm discharge ordinance. The law requires that a municipality that amends or adopts a firearm discharge ordinance provide the Commission of Inland Fisheries and Wildlife with a copy of the new or amended ordinance within 30 days of its adoption. The law takes effect on January 1, 2000.