### MAINE STATE LEGISLATURE

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### STATE OF MAINE 119TH LEGISLATURE

#### SECOND REGULAR SESSION

# BILL SUMMARIES JOINT STANDING COMMITTEE ON STATE AND LOCAL GOVERNMENT

### **JULY 2000**

MEMBERS: Sen. Peggy A. Pendleton, Chair Sen. Jill M. Goldthwait Sen. Paul T. Davis

Rep. Douglas J. Ahearne, Chair Rep. Martha A. Bagley Rep. Benjamin L. Rines, Jr. Rep. John F. McDonough Rep. Joanne T. Twomey Rep. Randall L. Bumps Rep. Susan Kasprzak Rep. Arlan R. Jodrey Rep. Earl E. Richardson Rep. Belinda A. Gerry Rep. Donald G. Soctomah

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#### ONE HUNDRED NINETEENTH LEGISLATURE SECOND REGULAR SESSION

### Summary Of Legislation Before The Joint Standing Committees July 2000

We are pleased to provide this summary of 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, <u>History and Final Disposition of Legislative Documents</u>, 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:

CON RES XXXCh	apter # of Constitutional Resolution passed by both Houses
DIED BETWEEN BODIES	House & Senate disagree; bill died
	ccepts ONTP report; the other indefinitely postpones the bill
	Action incomplete when session ended; bill died
EMERGENCY	Enacted law takes effect sooner than 90 days
FAILED EMERGENCY ENACTMENT/FINAL PASSAGE	Emergency bill failed to get 2/3 vote
FAILED ENACTMENT/FINAL PASSAGE	Bill failed to get majority vote
FAILED MANDATE ENACTMENT	Bill imposing local mandate failed to get 2/3 vote
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 LawChapter # of enacted Public Law
PUBLIC XXX	Chapter # of enacted Public Law
RESOLVE XXX	Chapter # of finally passed Resolve
UNSIGNED	Bill held by GovernorLegislature failed to override Governor's Veto
VETO SUSTAINED	Legislature failed to override Governor's Veto

Please note the effective date for all non-emergency legislation enacted in the Second Regular Session (unless otherwise specified in a particular law) is August 11, 2000.

Sponsor(s)	Committee	Report	Amendments Adopted
CAMPBELL	ONTP	MAJ	
CAREY	OTP-AM	MIN	

LD 852 proposed to require the Commissioner of Labor and Commissioner of Human Services to conduct a study of outdated, contradictory and unenforced laws and to report to the Legislature by January 15, 2000. Introduced in the First Regular Session, the bill was carried over to the Second Regular Session of the 119<sup>th</sup> Legislature.

Committee Amendment "A" (H-855), which was not adopted, was the minority report. It proposed to require the Commissioner of Labor, the Commissioner of Human Services and the Commissioner of Mental Health, Mental Retardation and Substance Abuse Services to acquire feedback from their departments' providers and customers regarding outdated, contradictory and unenforced laws. The amendment also would require the commissioners to report on their findings and to recommend legislation by January 31, 2001 to the joint standing committee of the Legislature having jurisdiction over the reporting department.

#### LD 1001 **An Act to Repeal Term Limits**

ONTP

Sponsor(s)	Committee Report	Amendments Adopted
CAMERON	ONTP	
GOLDTHWAIT		

LD 1001 proposed to repeal term limits. It was introduced in the First Regular Session of the 119<sup>th</sup> Legislature, but was carried over to the Second Regular Session.

#### LD 1849

### An Act to Amend the Laws Governing Public Easements and the **Discontinuance of Town Ways**

**ONTP** 

Sponsor(s)	Committee Report		Amendments Adopted
MCKEE	ONTP	MAJ	
NUTTING J	OTP-AM	MIN	

LD 1849 proposed to amend Maine Revised Statutes, Title 23, section 3026, subsection 1 to require that a municipality may only retain a public easement in a discontinued road by stating in the discontinuance order that a public easement will be retained. LD 1849 was introduced in the First Regular Session of the 119<sup>th</sup> Legislature, but was carried over the Second Regular Session.

**Committee amendment "A" (H-792)**, which was not adopted, proposed to eliminate the retention of a public easement by a municipality when a town way is discontinued. The amendment proposed that the land occupied by the discontinued town way be rejoined to the abutting property from which it was taken. The amendment also proposed to preserve any existing utility easement over the discontinued town way.

### LD 1876 An Act to Reform County Governance

**ONTP** 

Sponsor(s)	Committee Report	Amendments Adopted
MILLS	ONTP	

LD 1876 was a concept draft introduced in the First Regular Session of the 119<sup>th</sup> Legislature pursuant to Joint Rule 208. It proposed to reform county government by amending the Maine Revised Statutes, Title 30-A to create a uniform structure for county governments. Among the proposed changes were: increasing the number of commissioners; making the commissioner districts uniform in size within the county; staggering the terms of the commissioners; and authorizing the commissioners to appoint the sheriff, the register of deeds, the register of probate, the county treasurer, and the Judge of Probate.

The bill was carried over to the Second Regular Session. The committee held a second public hearing on a fully-drafted version of the bill that proposed to increase the number of commissioners elected in each county, to reapportion county commissioner districts in 2001 and to require the Legislature to vote on the plan in 2002, to repeal the election of county treasurers and registers of deeds, and to grant the county commissioners of each county the authority to appoint the treasurer and register of deeds and to set their salaries.

### LD 2087 An Act to Establish the Public Resources and Information for Maine Foundation

**INDEF PP** 

Sponsor(s)	Committee Report	Amendments Adopted
KONTOS	OTP-AM	
WATSON		

LD 2087 proposed to establish the Public Resources and Information for Maine Foundation with a General Fund appropriation of \$100,000 for fiscal year 1999-00. The bill also proposed that the foundation be scheduled for review under the State Government Evaluation Act in 2004.

Committee Amendment "A" (S-570), proposed to make several changes to the original bill, including:

- 1 Deleting a section in the original bill establishing a board of corporators;
- 2. Altering the composition of the Public Resources and Information for Maine Foundation's board of directors;
- 3. Removing from the services to be developed by the foundation the establishment of dedicated electronic media channels for full-time coverage of legislative and other government proceedings;