

# 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:***

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***Sen. Jill M. Goldthwait***

***Sen. Paul T. Davis***

***Rep. Douglas J. Ahearne, Chair***

***Rep. Martha A. Bagley***

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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, 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](http://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 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  
*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 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 Second Regular Session (unless otherwise specified in a particular law) is August 11, 2000.

*David E. Boulter, Director*  
Offices Located in the State House, Rooms 101 & 107

***Enacted law summary***

Resolve 1999, chapter 114 authorizes the Commissioner of Administrative and Financial Services to sell or lease the Maine State Prison property in Thomaston. The law is repealed 5 years from its effective date.

**LD 2342                      An Act to Add Emergency Medical Services to the Municipal Fire Department Authority                      PUBLIC 570**

<u>Sponsor(s)</u> DUPLESSIE RAND	<u>Committee Report</u> OTP-AM	<u>Amendments Adopted</u> H-822
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LD 2342 proposed to clarify that the terms "resident" and "residence" are applicable to legal entities as well as to individuals for the purpose of the provision of emergency services. It also proposed to specifically authorize municipal fire departments to provide ambulance service, including interfacility ambulance transport, and emergency medical treatment. LD 2342 also proposed to enable the provision of these services pursuant to mutual aid agreements among municipalities.

**Committee Amendment "A" (H-822)**, replaced the original bill. The amendment proposed to expand the definition of "municipal fire department" and to define "emergency services" under the Maine Revised Statutes, Title 30-A. This amendment also proposed to broaden the emergency services that municipal fire departments could provide to other municipalities through mutual aid agreements. It also proposed to make technical changes to Title 30-A, section 5725.

***Enacted law summary***

Public Law 1999, chapter 570 expands the definition of "municipal fire department" and defines "emergency services" under the Maine Revised Statutes, Title 30-A. The law also expands the number of emergency services that municipal fire departments may provide to other municipalities through mutual aid agreements. It also makes technical changes to Title 30-A, section 5725.

**LD 2382                      An Act to Require Expenditure of Designated Funds for the Purpose for which the Legislature Designated the Funds                      PUBLIC 554**

<u>Sponsor(s)</u> GOLDTHWAIT	<u>Committee Report</u> OTP-AM	<u>Amendments Adopted</u> S-497
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LD 2382 proposed to address the issue of a county's refusal to spend for a specific purpose funds so designated by the Legislature. LD 2382 proposed that if a county receives a specific amount in its unorganized territory budget that was to be spent for a purpose designated by the Legislature and the county subsequently refuses to spend those funds for that purpose, then the county would have its unorganized territory budget for the following year reduced by an amount equal to the amount of designated funds that the county had refused to spend.

**Committee Amendment "A" (S-497)**, which replaced the original bill proposed to clarify the intent of the original bill. The amendment proposed that the law only apply to Legislatively-designated funds for a specific purpose or purposes that are in addition to the services or projects normally included in a county's annual unorganized territory services budget.

***Enacted law summary***

Public Law 1999, chapter 554 addresses the issue of the refusal by the county commissioners of a county to spend for a specific purpose funds designated for that purpose by the Legislature. The law requires that an amount equal to the amount of designated funds that the commissioners refused to spend be deducted from the county's unorganized territory services reimbursement for the next fiscal year. The law applies only to Legislatively-designated funds that are for a purpose or purposes that are in addition to the services or projects normally included in a county's annual unorganized territory services budget.

**LD 2412                      An Act to Clarify the Process for a County Bond Referendum Election                      PUBLIC 717**

<u>Sponsor(s)</u>	<u>Committee Report</u>	<u>Amendments Adopted</u>
MURPHY T	OTP-AM    MAJ	H-805
FERGUSON	OTP        MIN	H-889    SAVAGE C

LD 2412 proposed to establish the process for county commissioners or county administrators to follow in conducting a county bond referendum election.

**Committee Amendment "A" (H-805)**, proposed to replace the original bill and to repeal section 936 of the Maine Revised Statutes, Title 30-A. This section required counties to obtain legislative approval before issuing bonds. The amendment also proposed to direct counties to conduct county bond issue referendum elections according to the provisions of Title 21-A. It also proposed to require county commissioners to hold a public hearing in each county commissioner district prior to a bond issue election.

**House Amendment "A" to Committee Amendment "A" (H-889)**, proposed to require that prior to the public hearing on the county bond referendum, each county bond issue must be reviewed by the respective county budget committee.

**House Amendment "B" to Committee Amendment "A" (H-910)**, which was not adopted, proposed to require a review by a county budget committee, if there is one, after the public hearings and a 2/3 affirmative vote by that committee before the county commissioners may conduct a county bond referendum election.

***Enacted law summary***

Public Law 1999, chapter 717 establishes the process for county commissioners or county administrators to follow in conducting a county bond referendum election. The law repeals section 936 of Title 30-A of the Maine Revised Statutes, which required legislative approval of county bond issuances. Public Law 1999, chapter 717 directs counties to conduct county bond issue referendum elections according to the provisions of Title 21-A. It also requires that county commissioners hold a public hearing in each county commissioner district prior to a bond issue election. The law also requires that, prior to the public hearings