

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

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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).

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.

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

on the county bond referendum, each county bond issue must be reviewed by the respective county budget committee.

LD 2417 **An Act to Improve the Working Effectiveness of the State Employee Health Commission** **ONTP**

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

LD 2417 was a concept draft pursuant to Joint Rule 208 that proposed to enhance the timely distribution of materials and information to all members of the State Employee Health Commission. It also sought to equalize the distribution of information to members and the authority to gather and request information by members of that commission.

LD 2461 **Resolve, to Create a Commission to Study and Establish Moral Policies Regarding Foreign Investments and Foreign Purchasing by the State** **RESOLVE 135**

<u>Sponsor(s)</u>	<u>Committee Report</u>	<u>Amendments Adopted</u>
MATTHEWS	OTP-AM MAJ ONTP MIN	H-870 S-800 KILKELLY

LD 2461 proposed to create a commission to study the establishment of moral investment policies and moral purchasing policies by the State. It proposed that the commission’s study consider such factors as exploitation of workers, frequency of Occupational Safety and Health Administration violations and layoff of Maine employees solely for economic gain. The resolve also proposed that the commission establish standards for moral policies and present these policies to the Legislature for adoption.

Committee Amendment "A" (H-870), was the majority report. In addition to changing the title of the resolve, it proposed to add a requirement that the Executive Director of the Legislative Council call the first meeting of the Commission to Study Economically and Socially Just Policies on Investments and Purchasing by the State. It also proposed to delete a requirement that the study commission establish moral standards that would prohibit the State from making certain investments or purchases. The amendment proposed to direct the commission to study economically and socially just policies for investment and purchase by the State and to make recommendations about such policies to the First Regular Session of the 120th Legislature. It also proposed to add an appropriation section to the resolve.

House Amendment "A" to Committee Amendment "A" (H-954), which was not adopted, proposed to add 2 members to the commission -- one representing labor unions and one representing manufacturing and industry. The amendment also proposed to remove the Treasurer of State and a representative from the Maine State Retirement System as members. It also proposed to replace the representative from the Maine State Retirement System with 2 representatives from retail business. The amendment also proposed to strike and replace the appropriation section.