

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

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***Staff:***

***Christopher Spruce, Legislative Analyst***

***Danielle D. Fox, Legislative Analyst***

***Office of Policy and Legal Analysis***

***13 State House Station***

***Augusta, ME 04333***

***(207)287-1670***



**Maine State Legislature**  
**OFFICE OF POLICY AND LEGAL ANALYSIS**

13 State House Station, Augusta, Maine 04333-0013  
Telephone: (207) 287-1670  
Fax: (207) 287-1275

**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

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.

**Senate Amendment "A" to Committee Amendment "A" (S-602)**, which was not adopted, proposed to change the duties as amended by Committee Amendment "A" of the Commission to Study Economically and Socially Just Policies on Investments and Purchasing by the State. It proposed to require the commission to propose standards concerning companies doing business with the State and to make recommendations as to whether the State should do business with other countries that oppress or mistreat their workers.

**Senate Amendment "B" to Committee Amendment "A" (S-636)**, which was not adopted, also proposed to change the duties as amended by Committee Amendment "A" of the Commission to Study Economically and Socially Just Policies on Investments and Purchasing by the State. It proposed to require the commission to propose standards concerning companies doing business with the State considering such factors as child labor and exploitation of workers under unhealthy conditions and to make recommendations as to whether the State should do business with businesses that oppress or mistreat their workers. This amendment also proposed to delete from the original resolve the duty that the commission consider such factors as exploitation of workers and frequency of Occupational Safety and Health Administration violations by Maine workers. This amendment also proposed to add a preamble to the resolve.

**Senate Amendment "C" to Committee Amendment "A" (S-690)**, which was not adopted, proposed to amend the title of the resolve and to change the duties, as amended by Committee Amendment "A," of the Commission to Study Economically and Socially Just Policies on Investments and Purchasing by the State. It proposed to require the commission to propose standards concerning foreign investments and foreign purchasing by the State, considering such factors as child labor and exploitation of workers under unhealthy conditions, and to make recommendations as to whether the State should do business with foreign businesses that oppress or mistreat their workers. This amendment also proposed to remove the duty that the commission consider such factors as exploitation of workers and frequency of Occupational Safety and Health Administration violations by Maine businesses. This amendment also proposed to add a preamble to the resolve.

**Senate Amendment "D" to Committee Amendment "A" (S-790)**, which was not adopted, proposed to add an emergency preamble and emergency clause to the resolve and to change the name of the commission to the Commission to Study Economically and Socially Just Policies for Foreign Investments and Foreign Purchasing by the State. The amendment also proposed to make minor changes to the appointment process.

**Senate Amendment "E" to Committee Amendment "A" (S-800)**, which was adopted, proposed to amend Committee Amendment "A" by renaming the commission the Commission to Study and Establish Moral Policies Regarding Foreign Investments and Foreign Purchasing by the State. It also proposed to strike out the emergency preamble and emergency clause inserted by Senate Amendment "D." It further proposed to insert a preamble as proposed in Senate Amendment "C". The amendment also proposed to incorporate the membership changes proposed in House Amendment "A" and further proposed to incorporate the changes in the commission's duties proposed in Senate Amendment "C." Senate Amendment "E" also proposed to specify that all commission members be appointed by August 18, 2000, that the initial meeting of the commission occur by August 31, 2000 and that the commission issue its report by November 15, 2000.

***Enacted law summary***

Resolve 1999, chapter 135 creates the Commission to Study Economically and Socially Just Policies for Foreign Investments and Foreign Purchasing by the State. In examining this issue, the 12-member commission must evaluate the policies of other states, propose standards concerning foreign companies that do business with the State and foreign companies invested in by the State, and make recommendations to the Legislature as to whether the State should do business with and invest in foreign companies that oppress or mistreat their workers. The law requires the commission to consider such factors as child labor and exploitation of workers under unhealthy conditions. The commission also must identify the possible positive and negative impacts of proposed policies on Maine workers, Maine small businesses and Maine taxpayers. The law requires the commission to issue its report by November 15, 2000.

**LD 2471**

**Resolve, to Recognize Veterans of the Vietnam War in the State  
House Hall of Flags**

**RESOLVE 113**

<u>Sponsor(s)</u>	<u>Committee Report</u>	<u>Amendments Adopted</u>
CAMPBELL MICHAUD	OTP-AM	H-1037 AHEARNE H-837

LD 2471 proposed to create a special commission to erect a plaque in the Hall of Flags honoring the veterans of the Vietnam War from Maine.

**Committee Amendment "A" (H-837)**, proposed to amend the original resolve by adding a flag or flags to the items that will be displayed in the State House Hall of Flags to honor veterans of the Vietnam War. It also proposed to require that the Maine Historic Preservation Commission develop and recommend to the Legislative Council and to the joint standing committee of the Legislature having jurisdiction over state and local government matters a more formalized, permanent process through which to handle future requests for adding new plaques, flags or other commemorative items to the State House Hall of Flags. The Historic Preservation Commission would be required to report in writing on its proposal to the committee and the Executive Director of the Legislative Council by December 15, 2000. It also proposed to authorize the committee to report out legislation based on the commission's recommendations.

**House Amendment "A" to Committee Amendment "A" (H-1037)**, proposed to make technical changes to bring the resolve into conformance with the Legislative Council's guidelines for commissions. The amendment also proposed to specify that commission members may not be Legislators and must serve without compensation. The amendment also proposed to incorporate the change from Senate Amendment "A" (S-540).

**Senate Amendment "A" (S-540)**, which was not adopted, proposed a technical change in the resolve to ensure consistency with Committee Amendment "A," filing number H-837.

***Enacted law summary***

Resolve 1999, chapter 113 creates a 5-member commission to erect a plaque and place a flag or flags in the Hall of Flags honoring the veterans of the Vietnam War from Maine. The law specifies that none of the commission members may be legislators and that all must serve without compensation. It also requires that