

MAINE STATE LEGISLATURE

The following document is provided by the
LAW AND LEGISLATIVE DIGITAL LIBRARY
at the Maine State Law and Legislative Reference Library
<http://legislature.maine.gov/lawlib>



Reproduced from electronic originals
(may include minor formatting differences from printed original)

*State Of Maine
120th Legislature*

First Regular Session

Bill Summaries

*Joint Standing Committee
on
State and Local Government*

August 2001

Members:

*Sen. Peggy A. Pendleton, Chair
Sen. Edward M. Youngblood
Sen. Margaret Rotundo*

*Rep. Martha A. Bagley, Chair
Rep. John F. McDonough
Rep. Paul R. Hatch
Rep. Paul J. Lessard
Rep. Janet L. McLaughlin
Rep. Susan Kasprzak
Rep. Eleanor M. Murphy
Rep. Peter D. Chase
Rep. Anita P. Haskell
Rep. Philip Cressey, Jr.*

Staff:

*Christopher J. Spruce, Legislative Analyst
David C. Elliott, Principal 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

120th Legislature
First Regular Session

Summary Of Legislation Before The Joint Standing Committees
August 2001

Enclosed please find a summary of all bills, resolves, joint study orders, joint resolutions and Constitutional resolutions that were considered by the joint standing 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 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
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 First Regular Session (unless otherwise specified in a particular law) is **September 21, 2001**.

David E. Boulter, Director
Offices Located in the State House, Rooms 101/107/135

Joint Standing Committee on State and Local Government

LD 1287

An Act Concerning the Administration of County Government

PUBLIC 349

<u>Sponsor(s)</u>	<u>Committee Report</u>	<u>Amendments Adopted</u>
DAVIS P SHERMAN	OTP-AM	S-231

LD 1287 proposed to make 3 changes in the administration of county government. First, it proposed to repeal a provision of law that requires a substantial reduction in the pay of county commissioners in counties that hire a county administrator. Second, it proposed to establish the same probationary periods for county employees as those for municipal employees. Third, it proposed to give county commissioners discretion at the beginning of the fiscal year in determining what portion of surplus funds may be used to reduce the tax levy.

Committee Amendment "A" (S-231) proposed to add a new section to the bill that would define "unencumbered surplus funds" and would insert that term in the place of "unexpended balance" and "actual revenue in excess of estimates" in the law governing the use of surplus funds by counties. The amendment also proposed to require counties to consider surpluses from all prior years rather than only the preceding year in complying with the provisions of the laws governing use of surplus funds. It also proposed to clarify the sequence of uses of the county surplus in existing law. The amendment further proposed to increase from 10 percent to 20 percent, phased in over 3 years, the amount of surplus funds a county may retain for purposes other than reducing the amount of the tax levy in a fiscal year. Finally, the amendment proposed to permit counties to make expenditures of \$10,000 or less for the procurement of goods and services through oral proposals or bids. The amendment also added a fiscal note to the bill.

Enacted law summary

Public Law 2001, chapter 349 makes several changes in the administration of county government. The law repeals a provision of law that requires a substantial reduction in the pay of county commissioners in counties that hire a county administrator. It establishes the same probationary periods for county employees as those for municipal employees. The law section defines "unencumbered surplus funds" and inserts that term in the place of "unexpended balance" and "actual revenue in excess of estimates" in the law governing the use of surplus funds by counties. Public Law 2001, chapter 349 also requires counties to consider surpluses from all prior years rather than only the preceding year in complying with the provisions of the laws governing use of surplus funds. It also clarifies the sequence of uses of the county surplus in existing law. The law increases from 10% to 20%, phased in over 3 years, the amount of surplus funds a county may retain for purposes other than reducing the amount of the tax levy in a fiscal year. Finally, the law permits counties to make expenditures of \$10,000 or less for the procurement of goods and services through oral proposals or bids.