

MAINE STATE LEGISLATURE

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*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.*

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Maine State Legislature
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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 1328

An Act to Amend the Laws Governing Registers of Deeds

PUBLIC 317

<u>Sponsor(s)</u>	<u>Committee Report</u>	<u>Amendments Adopted</u>
BRANNIGAN	OTP-AM MAJ	H-252
KILKELLY	OTP-AM MIN	S-214 YOUNGBLOOD

LD 1328 proposed to set uniform standards for registries of deeds with regard to the size, type and format of documents submitted to registries for recording. The bill also proposed to clarify the recording methods that may be used by registries. This bill also proposed to repeal the sunset of the records preservation surcharge.

Committee Amendment "A" (H-252), which was the majority report, proposed to amend the original bill by making less specific the requirements governing type of paper and style of type for any document submitted to any registry of deeds in the State after October 1, 2003. The amendment also proposed to exempt the Department of the Secretary of State from the provisions regarding certain requirements for documents submitted to a registry and to extend the repeal date to January 1, 2005 for the \$3 per document records preservation surcharge that a register of deeds may collect for all documents recorded in the registry of deeds.

This amendment also proposed to add a fiscal note to the bill.

Committee Amendment "B" (H-253), which was the minority report and was not adopted, proposed to amend the original bill by deleting administrative information requirements in subsection 4 of the Maine Revised Statutes, Title 33, section 651-B. It also proposed to make less specific the requirements governing type of paper and style of type for any document submitted to any registry of deeds in the State after October 1, 2003. The amendment also proposed to exempt the Department of the Secretary of State from the provisions of section 2 of this Act and to extend the repeal date to January 1, 2005 for the \$3 per document records preservation surcharge that a register of deeds may collect for all documents recorded in the registry of deeds.

This amendment also proposed to add a fiscal note to the bill.

House Amendment "A" to Committee Amendment "A" (H-294) proposed to remove the provisions in the bill and Committee Amendment "A" that specified the type size and style of documents submitted for recording. This amendment was not adopted.

House Amendment "B" to Committee Amendment "A" (H-313) also proposed to remove the provisions in the bill and Committee Amendment "A" that specified the type size and style of documents submitted for recording.

The amendment also proposed to correct the exemption subsection of Committee Amendment "A" to reflect that the documents exempted are supplied by the Department of the Secretary of State rather than submitted by that department. This amendment was not adopted.

House Amendment "C" to Committee Amendment "A" (H-322) proposed to remove the provisions in the bill and Committee Amendment "A" that specified the type size and style of documents submitted for recording.

Joint Standing Committee on State and Local Government

The amendment also proposed to correct the exemption subsection of Committee Amendment "A" to reflect that the documents exempted are supplied by the Department of the Secretary of State rather than submitted by that department. This amendment was not adopted.

House Amendment "D" to Committee Amendment "A" (H-323) proposed to strike the bill, as amended by Committee Amendment "A," retaining only that provision in the amended bill that proposed to extend the repeal date to January 1, 2005 for the document records preservation surcharge. This amendment was not adopted.

Senate Amendment "A" to Committee Amendment "A" (S-214) proposed to strike the bill, as amended by Committee Amendment "A," retaining only that provision in the bill as amended that proposed to extend the repeal date to January 1, 2005 for the document records preservation surcharge.

Enacted law summary

Public Law 2001, chapter 317 extends to January 1, 2005 the repeal date for the \$3 document records preservation surcharge that a register of deeds may collect for all documents recorded in the registry.

LD 1336 **Resolve, to Create Health Days in Maine** **ONTP**

<u>Sponsor(s)</u>	<u>Committee Report</u>	<u>Amendments Adopted</u>
MACDOUGALL LEMONT	ONTP	

LD 1336 proposed to direct the Department of Human Services, Bureau of Health to create a Health Days in Maine program to promote strategies for healthier living by Maine residents and authorize the program to be funded by the Fund for a Healthy Maine.

LD 1356 **An Act to Exempt Municipalities from Having to Zone for Mobile Home Parks** **ONTP**

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

LD 1356 proposed to exempt a municipality from setting aside 10 percent of new residential development for affordable housing if the percentage of housing that is affordable in that municipality exceeds the average percentage of affordable housing for municipalities in the State.