

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

subdivision is to be located within 200 feet of the boundary line of that neighboring municipality. It also proposed to require that property owners and residents of the neighboring community who have been given notice be permitted to participate in any public hearing of the reviewing authority to the same extent as property owners and residents of the reviewing authority's municipality. The amendment also proposed to allow the reviewing authority to consider development-related impacts on the abutting municipality in its review of the subdivision application. It also proposed to add a fiscal note to the bill.

LD 1444

An Act to Enhance Local Accountability

ONTP

| <u>Sponsor(s)</u> | <u>Committee Report</u> | <u>Amendments Adopted</u> |
|-------------------|---|---------------------------|
| KASPRZAK | ONTP A OTP-AM B OTP-AM C | |

LD 1444 proposed to repeal the State's growth management program and to direct the Director of the State Planning Office and the Commissioner of Economic and Community Development to jointly report in January of 2002 to the Joint Standing Committee on State and Local Government with a list and description of all state laws and rules that impose planning mandates on towns. The bill also required the Joint Standing Committee on State and Local Government to report a bill to the Second Regular Session of the 120th Legislature that would repeal all the mandates identified in that report, by other persons or by the committee.

Committee Amendment "A" (H-453), which was a minority report of the Joint Standing Committee on State and Local Government and was not adopted, proposed to replace the bill. The amendment proposed to target the resources for growth management by establishing that all municipal requirements placed on municipalities by the growth management laws would be strictly voluntary for those municipalities that experience less than average residential growth rates over the last 10-year period according to U. S. Census data. The amendment also proposed that penalties, sanctions or preemptions of home rule authority that may be part of the growth management laws also would not apply to those municipalities, except that the system of preference for certain state-administered grants would continue to apply to all municipalities. The amendment also proposed to add a fiscal note to the bill.

Committee Amendment "B" (H-454), which was not adopted, also was a minority report of the Joint Standing Committee on State and Local Government. It proposed to add an appropriation section and a fiscal note to the original bill.

LD 1445

An Act to Allow a Legislator to Opt Out of the Partisan Staff System

**NOT PROPERLY
BEFORE BODY**

| <u>Sponsor(s)</u> | <u>Committee Report</u> | <u>Amendments Adopted</u> |
|-------------------|-------------------------|---------------------------|
| MICHAEL | | |

LD 1445, which was suggested for referral to the Joint Standing Committee on State and Local Government, proposed to allow a Legislator to decline the services of partisan staff and receive a pro rata share of the budgeted costs of the partisan offices to be used directly by the Legislator for constituent services. The bill would have taken