

# 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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**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](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:

*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*  
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## 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

## Joint Standing Committee on State and Local Government

effect December 1, 2002. Both the Speaker of the House and the President of the Senate ruled that the bill, which was not referred to a committee, was not properly before the bodies.

**LD 1448**                      **An Act to Designate a Day of Reflection and Tolerance**                      **ONTP**

<u>Sponsor(s)</u> TWOMEY		<u>Committee Report</u> ONTP		<u>Amendments Adopted</u>
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LD 1448 proposed to designate May 17th of each year as Diversity Day.

**LD 1452**                      **RESOLUTION, Proposing an Amendment to the Constitution of  
Maine to Provide for the Popular Election of the Constitutional  
Officers and State Auditor**                      **ONTP**

<u>Sponsor(s)</u> TWOMEY		<u>Committee Report</u> ONTP		<u>Amendments Adopted</u>
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LD 1452 proposed to amend the Constitution of Maine to provide for direct popular election of the State's constitutional officers and the State Auditor in the manner currently provided for Senators and Representatives.

**LD 1523**                      **An Act to Preserve the Right to Air-dry Laundry**                      **ONTP**

<u>Sponsor(s)</u> PERRY		<u>Committee Report</u> ONTP      MAJ OTP      MIN		<u>Amendments Adopted</u>
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LD 1523 proposed to prohibit a municipality or person from passing or imposing an ordinance, covenant, contract provision, rule, regulation or restriction that would prohibit the hanging of laundry outdoors except for reasonable health or safety purposes.

**House Amendment "A" (H-184)**, which was not adopted, proposed to remove the provision in the original bill that barred a municipality from prohibiting the hanging of laundry outdoors.