

# MAINE STATE LEGISLATURE

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*State Of Maine  
120th Legislature*

*Second Regular Session*

*Bill Summaries*

*Joint Standing Committee  
on  
State and Local Government*

*May 2002*

**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 L. Kasprzak  
Rep. Eleanor M. Murphy  
Rep. Peter D. Chase  
Rep. Anita P. Haskell  
Rep. Philip Cressey, Jr.*

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**120th Legislature**  
**Second Regular Session**

**Summary Of Legislation Before The Joint Standing Committees**  
**May 2002**

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 arranged alphabetically by committee name 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
PASSED	Joint Order passed in both bodies
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 July 25, 2002.

**Patrick T. Norton, Interim Director**  
**Offices located in Room 215 of the Cross Office Building**

## Joint Standing Committee on State and Local Government

**LD 1879**

**Resolve, Authorizing the Commissioner of Administrative and Financial Services to Acquire or Dispose of Property or Interest in Property Pursuant to the Augusta State Facilities Master Plan set out in Resolve 2001, Chapter 34**

**INDEF PP**

<u>Sponsor(s)</u>	<u>Committee Report</u>	<u>Amendments Adopted</u>
PENDLETON	OTP-AM MAJ	
MCDONOUGH	ONTP MIN	

LD 1879 proposed to authorize the Commissioner of Administrative and Financial Services to acquire or dispose of property or interests in property in accordance with the Augusta State Facilities Master Plan.

**Committee Amendment "A" (S-415)**, which was not adopted, proposed to strike and replace much of the original resolve. The amendment proposed to authorize the Commissioner of Administrative and Financial Services to enter into purchase and sale agreements for the purchase of property or interests in property that are located within the limits of the capitol area in Augusta and identified for acquisition in the March 2001 Augusta State Facilities Master Plan Summary Report. The amendment also proposed to require the purchase to be subject to legislative approval and appropriation. The amendment also proposed to add a fiscal note to the resolve.

**Committee Amendment "B" (S-478)**, which was not adopted, proposed to strike and replace much of the original resolve. The amendment proposed to authorize the Commissioner of Administrative and Financial Services to enter into purchase and sale agreements for the purchase of property or interests in property that are located within the limits of the capitol area in Augusta and identified for acquisition in the March 2001 Augusta State Facilities Master Plan Summary Report. The amendment also proposed to require the purchase to be subject to legislative approval and appropriation. The amendment also proposed to add a fiscal note to the resolve. The amendment was the majority report after the bill was recommitted to the committee.

**LD 1909**

**An Act to Permit the Town of Atkinson to Deorganize**

**P & S 59**

<u>Sponsor(s)</u>	<u>Committee Report</u>	<u>Amendments Adopted</u>
DAVIS P	OTP-AM MAJ	S-437
ANNIS	ONTP MIN	

LD 1909 proposed to allow the Town of Atkinson to deorganize.

**Committee Amendment "A" (S-437)** proposed a series of technical changes to the original bill. The amendment proposed to remove the emergency preamble and the emergency clause. It also proposed to change the date of assessment of taxes to April 1, 2003. It also proposed to require that the official town vote on deorganization occur during the next general election in November. Finally, the amendment proposed to change the effective date of the proposed deorganization if it is approved by voters of the town to July 1, 2003. The amendment also proposed to add a fiscal note to the bill.

## Joint Standing Committee on State and Local Government

### *Enacted law summary*

Private and Special Law 2001, chapter 59 allows the Town of Atkinson to deorganize providing that the voters of the town approve the deorganization proposal at the general election in November 2002. If voters approve the referendum, the effective date of the deroganization will be July 1, 2003.

**LD 1926**

**An Act to Amend the Boundaries Between Ripley and St. Albans**

**P & S 63**

Sponsor(s)  
STEDMAN

Committee Report  
OTP-AM

Amendments Adopted  
H-825

LD 1926 proposed to restore the boundary between the Town of St. Albans and the Town of Ripley to its pre-1862 configuration by placing land set off in Private and Special Law 1862, chapter 181 back into the Town of Ripley.

**Committee Amendment "A" (H-825)** proposed to add a fiscal note to the bill.

### *Enacted law summary*

Private and Special Law 2001, chapter 63 restores the boundary between the Town of St. Albans and the Town of Ripley to its pre-1862 configuration by placing land set off in Private and Special Law 1862, chapter 181 back into the Town of Ripley.

**LD 1941**

**An Act to Modify the Time of Constituent Service Allowance Payments**

**PUBLIC 504**

Sponsor(s)  
CLOUGH  
DAGGETT

Committee Report  
OTP-AM

Amendments Adopted  
H-802

LD 1941 proposed to change the time when Legislators receive the 1st installment payment of their annual allowance for constituent services. Current law provides that this installment be paid at the start of each regular session in December. This bill proposed that this installment be paid in January.

**Committee Amendment "A" (H-802)** proposed to retain the change presented in the bill. In addition, the amendment proposed to allow a Legislator to obtain the first payment in December of the first year of the biennium upon request to the Executive Director of the Legislative Council. The amendment proposed that the executive director be required to notify Legislators of the payment choice available to them and of the tax consequences of the choice.

### *Enacted law summary*

Public Law 2001, chapter 504 changes when Legislators receive the 1st of the 2 payments of the annual allowance for constituent services. Current law provides that this installment be paid at the start of each regular session—December in the 1<sup>st</sup> year of a biennium and January in the 2<sup>nd</sup> year. Chapter 504 sets the first payment for