

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

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120th Legislature
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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).

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:

<i>CON RES XXX</i>	<i>Chapter # of Constitutional Resolution passed by both Houses</i>
<i>CONF CMTE UNABLE TO AGREE</i>	<i>Committee of Conference unable to agree; bill died</i>
<i>DIED BETWEEN BODIES</i>	<i>House & Senate disagree; bill died</i>
<i>DIED IN CONCURRENCE</i>	<i>One body accepts ONTP report; the other indefinitely postpones the bill</i>
<i>DIED ON ADJOURNMENT</i>	<i>Action incomplete when session ended; bill died</i>
<i>EMERGENCY</i>	<i>Enacted law takes effect sooner than 90 days</i>
<i>FAILED EMERGENCY ENACTMENT/FINAL PASSAGE</i>	<i>Emergency bill failed to get 2/3 vote</i>
<i>FAILED ENACTMENT/FINAL PASSAGE</i>	<i>Bill failed to get majority vote</i>
<i>FAILED MANDATE ENACTMENT</i>	<i>Bill imposing local mandate failed to get 2/3 vote</i>
<i>NOT PROPERLY BEFORE THE BODY</i>	<i>Ruled out of order by the presiding officers; bill died</i>
<i>INDEF PP</i>	<i>Bill Indefinitely Postponed</i>
<i>ONTP</i>	<i>Ought Not To Pass report accepted</i>
<i>OTP ND</i>	<i>Committee report Ought To Pass In New Draft</i>
<i>OTP ND/NT</i>	<i>Committee report Ought To Pass In New Draft/New Title</i>
<i>P&S XXX</i>	<i>Chapter # of enacted Private & Special Law</i>
<i>PASSED</i>	<i>Joint Order passed in both bodies</i>
<i>PUBLIC XXX</i>	<i>Chapter # of enacted Public Law</i>
<i>RESOLVE XXX</i>	<i>Chapter # of finally passed Resolve</i>
<i>UNSIGNED</i>	<i>Bill held by Governor</i>
<i>VETO SUSTAINED</i>	<i>Legislature failed to override Governor's Veto</i>

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

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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 1st year of a biennium and January in the 2nd year. Chapter 504 sets the first payment for

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constituent services for January of each session. The law allows 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 executive director is required to notify Legislators of the payment choice available to them and of the tax consequences of exercising the choice.

LD 1942 **An Act to Provide Property Tax Relief in Cumberland County** **ONTP**

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

LD 1942 proposed to restore the 10% limit in Cumberland County on the amount of unencumbered surplus funds county commissioners could use annually for purposes other than reducing the county property tax levy. Public Law 2001, chapter 349, enacted last year, increased the amount, from 10% to 20% for all counties.

Committee Amendment "A" (H-849), which was not adopted, proposed to cap the limit at 15% of unencumbered surplus funds that county commissioners could use annually for purposes other than reducing the county property tax levy in Cumberland County.

LD 1943 **An Act to Clarify Municipal Reapportionment Authority** **PUBLIC 537**

<u>Sponsor(s)</u>	<u>Committee Report</u>	<u>Amendments Adopted</u>
SCHNEIDER	OTP-AM	H-850

LD 1943 proposed to amend the law governing reapportionment of municipal voting districts following completion of each decennial census. Current law requires a municipality to enact a reapportionment ordinance within 18 months of the official release of census data. This bill proposes that when an ordinance is not adopted at least 90 days before a regular election held within that 18-month period, the old apportionment ordinance is used for that election. The bill also proposes that if a municipality fails to adopt a reapportionment ordinance within the 18-month period or if it does so but not more than 90 days before an election occurring after 18 months, municipal officers up for election are elected and serve at large until a new ordinance is adopted.

Committee Amendment "A" (H-850) proposed to allow municipalities to utilize state House of Representatives and Senate districts in enacting a municipal reapportionment ordinance. Under the amendment, municipalities would have up to 12 months after reapportionment of House and Senate districts to reapportion municipal districts.

Enacted law summary

Public Law 2001, chapter 537 amends the law governing reapportionment of municipal voting districts following completion of each decennial census. Under chapter 537, municipalities have up to 12 months following reapportionment of House and Senate districts to reapportion municipal districts thereby allowing municipalities to utilize state legislative district lines in reapportioning their voting districts. The law clarifies that when an ordinance is not adopted at least 90 days before a regular election held within that 12-month period, the old apportionment ordinance is used for that election. The law also clarifies that if a municipality fails to adopt a reapportionment ordinance within the 12-month period or if it does so but not more than 90 days before an election