

# 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
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 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.

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

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

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occurring after 12 months, municipal officers up for election are elected and serve at large until a new ordinance is adopted.

**LD 1952**                      **Resolve, Authorizing the Director of the Bureau of Parks and Lands within the Department of Conservation to Convey a Crossing Easement**                      **RESOLVE 75**

<u>Sponsor(s)</u>	<u>Committee Report</u>	<u>Amendments Adopted</u>
SMITH MARTIN	OTP-AM	H-804

LD 1952 proposed to grant an easement giving Irving Woodlands, LLC, a permanent right to cross the state-owned, abandoned railroad right-of-way running between Stockholm and Van Buren. Irving Woodlands, LLC, has assembled a new access corridor from their lands in T17R3 WELS to the Bangor and Aroostook railroad siding in Van Buren that will avoid making an impact on public roads and will increase activity at the siding. The state-owned abandoned railroad corridor must be crossed at a site approximately one mile from Van Buren in order to complete this access corridor.

**Committee Amendment "A" (H-804)** proposed to add a fiscal note.

### *Enacted law summary*

Resolve 2001, chapter 75 grants Irving Woodlands, LLC, a permanent right to cross the state-owned, abandoned railroad right-of-way running between Stockholm and Van Buren. This will permit Irving Woodlands, LLC, to complete assembly of a new access corridor from their lands in T17R3 WELS to the Bangor and Aroostook railroad siding in Van Buren that will avoid using public roads and increase economic activity at the siding. The abandoned railroad corridor will be crossed at a site approximately one mile from Van Buren.

**LD 1967**                      **An Act to Assist Municipalities of Sagadahoc County with the Change in the County Budget Year**                      **PUBLIC 499  
EMERGENCY**

<u>Sponsor(s)</u>	<u>Committee Report</u>	<u>Amendments Adopted</u>
SMALL PEAVEY	OTP-AM	S-417 S-440 SMALL

LD 1967 proposed that county officers in Sagadahoc County be authorized to borrow money for purposes of carrying out the transitional county budget authorized for the county's switch to a July-June fiscal year in 2002. While waiting for payment by municipalities of their share of the transitional budget, the bill proposed that county officers be allowed to issue bonds or notes in anticipation of taxes from the transitional budget, the total face amount of which does not exceed 80% of the taxes anticipated from the transitional budget and the period of borrowing of which does not exceed 5 years.

**Committee Amendment "A" (S-417)** proposed to authorize municipalities to spread payment to the county of their portion of the county transitional budget over a period from one to 5 years and to direct municipalities that do so to make their payment of their annual share of the transitional budget at the same time they pay their share of the