

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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Maine State Legislature
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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).

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 2008

An Act to Create the Office of Maine-Canada Trade Ombudsman

PUBLIC 643

<u>Sponsor(s)</u>	<u>Committee Report</u>	<u>Amendments Adopted</u>
STANLEY	ONTP MAJ OTP-AM MIN	H-791 H-809 SHERMAN

LD 2008 proposed to create the Office of the Maine-Canada Envoy. The envoy would be appointed by the Governor with the consent of the Senate for a term of 4 years. The envoy would: act as the Maine representative for relations with Canada to ensure the coordination of state policy when dealing with Canada; perform research and provide assistance to State Government, businesses and citizens to increase trade with Canada; act as an intermediary between Maine businesses and citizens and Canada for trade; and administer the Office of the Maine-Canada Envoy.

Committee Amendment "A" (H-791) proposed to add an appropriation section and a fiscal note to the bill.

House Amendment "A" to Committee Amendment "A" (H-809) proposed to revise the committee amendment to convert the proposed "Maine-Canada Envoy" into the "Maine-Canada Trade Ombudsman." Under the amendment, the Governor would appoint the Maine-Canada Trade Ombudsman, and the appointment would be subject to review by the joint standing committee of the Legislature having jurisdiction over state and local government matters and confirmation by the Senate.

The amendment proposed that the ombudsman have the same basic responsibilities and powers as proposed in the original bill with regard to administering the office, providing advice to the Governor and state agencies with regard to commerce and other relations with individuals, businesses and governmental entities in Canada and representing the State at the national level for trade matters between the United States and Canada that involve Maine.

This amendment proposed to delete reference to research and assistance to develop and increase trade relations with Canada, producing publications and coordinating trade-related activities, as those functions are already provided by other agencies within the State.

The central function of the Maine-Canada Trade Ombudsman would be to answer inquiries from Maine citizens and businesses and to investigate, advise and work toward resolution of complaints that arise concerning trade issues. The ombudsman would be given the authority to negotiate on behalf of businesses, with their consent, with individuals, businesses and governmental entities of Canada to secure fair trade treatment for Maine products and services.

Enacted law summary

Public Law 2001, chapter 643 establishes a Maine-Canada Trade Ombudsman. The Governor appoints the Maine-Canada Trade Ombudsman, subject to review by the joint standing committee of the Legislature having jurisdiction over state and local government matters and confirmation by the Senate. The ombudsman will provide advice to the Governor and state agencies regarding commerce and other relations with individuals, businesses and governmental entities in Canada and represent the State at the national level for trade matters between the United States and Canada that involve Maine.

The central function of the Maine-Canada Trade Ombudsman is to answer inquiries from Maine citizens and businesses and investigate, advise and work toward resolution of complaints that arise concerning trade issues with

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Canada. Under the law, the ombudsman is given the authority to negotiate on behalf of businesses, with their consent, with individuals, businesses and governmental entities of Canada to secure fair trade treatment for Maine products and services.

LD 2011 **An Act to Restructure the Advisory Council on Tax-deferred Arrangements** **PUBLIC 503**

<u>Sponsor(s)</u>	<u>Committee Report</u>	<u>Amendments Adopted</u>
COLWELL	OTP-AM	H-800
BENNETT		

LD 2011 proposed to restructure the Advisory Council on Tax-deferred Arrangements by changing it from an advisory council to a policy-making council and by changing the number of its members from 6 to 9.

Committee Amendment "A" (H-800) proposed to replace the bill. It retained the current advisory nature of the council while increasing the membership from 6 to 10. The amendment proposed to increase the number of employees representing the Maine State Employees Association on the council from one to 5 with one member representing each of the Maine State Employees Association bargaining units. The employer-employee voting balance on the advisory council would not be affected by the increase in membership proposed by the amendment.

Enacted law summary

Public Law 2001, chapter 503 increases the membership of the Advisory Council on Tax-deferred Arrangements from 6 to 10 by increasing the number of employees representing the Maine State Employees Association on the council from one to 5 with one member representing each of the Maine State Employees Association bargaining units. The employer-employee voting balance on the advisory council is not affected by the increase in MSEA representation.

LD 2046 **Resolve, to Recognize Veterans of World War II and the Korean War in the State House Hall of Flags** **RESOLVE 113**

<u>Sponsor(s)</u>	<u>Committee Report</u>	<u>Amendments Adopted</u>
MICHAUD MH	OTP-AM	S-449
BERRY R		S-543 GOLDTHWAIT

LD 2046 proposed to establish a commission to arrange for a plaque and a flag or flags to be displayed in the Hall of Flags in the State House to honor the Maine veterans of World War II and the Korean Conflict.

Committee Amendment "A" (S-449) proposed several changes to the bill. It proposed to change references to "Korean Conflict" in the resolve to "Korean War" and provide for the possibility of placing 2 plaques in the Hall of Flags, one honoring World War II veterans and one honoring Korean War veterans. The amendment also proposed to delete the section of the resolve that established a study by the Maine Historic Preservation Commission to revise the method of dealing with future requests for adding commemorative items to the State House. This amendment also proposed to add a fiscal note to the resolve.