

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

Staff:

*Christopher J. Spruce, Legislative Analyst
David C. Elliott, Principal Analyst*

*Office of Policy and Legal Analysis
13 State House Station
Augusta, ME 04333
(207) 287-1670*

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Maine State Legislature
OFFICE OF POLICY AND LEGAL ANALYSIS

13 State House Station, Augusta, Maine 04333-0013
Telephone: (207) 287-1670
Fax: (207) 287-1275

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

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 BENNETT	OTP-AM	H-800

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 BERRY R	OTP-AM	S-449 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.

Joint Standing Committee on State and Local Government

Senate Amendment "A" to Committee Amendment "A" (S-543) was prepared pursuant to action taken by the Legislative Council on March 26, 2002. The amendment proposed to make changes to conform to the study commission guidelines. It proposed to change the composition of the commission, change the convening date, remove language providing that commission members serve without payment of compensation or expenses, authorize up to 4 meetings, change the submission process for the initial report, add a compensation section and strike the funding for the interim and final reports as funding for the commission would be provided from the Legislative Account.

Enacted law summary

Resolve 2001, chapter 113 establishes a commission to arrange for the display of plaques and flags in the Hall of Flags in the State House to honor the Maine veterans of World War II and the Korean War.

LD 2067 **An Act to Require Appropriate Public Notice of a State Building Project** **PUBLIC 615**

<u>Sponsor(s)</u>	<u>Committee Report</u>	<u>Amendments Adopted</u>
DAGGETT	OTP-AM MAJ	S-448
COLWELL	ONTP MIN	S-497 DAGGETT

LD 2067 proposed that if a proposed state public improvement construction project is not reviewed by a municipal planning board, the Department of Administrative and Financial Services, Bureau of General Services must notify, in writing, a property owner whose property abuts the proposed state project before work may begin.

Committee Amendment "A" (S-448) proposed to replace the bill. It proposed that the Department of Administrative and Financial Services, Bureau of General Services be required to provide notice of state public improvement construction projects if the municipality in which the project is located is not reviewing the project. It proposed that notice must be provided in the same manner as required by municipal ordinance in the town or city in which the project is located and must be provided as soon as development of the schematic design of the project is complete. The amendment also proposed to add a fiscal note to the bill.

Senate Amendment "A" to Committee Amendment "A" (S-497) proposed to replace the committee amendment. It proposed that if a public improvement is for new construction only and is not reviewed by a municipality, the public notice must be provided by the agency responsible for the new construction.

Enacted law summary

Public Law 2001, chapter 615 provides that if a proposed state public improvement project for new construction is not reviewed by the municipal in which it is located, the agency responsible for the new construction must provide public notice of the project. Notice must be provided in the same manner as required by municipal ordinance for similar projects, in the town or city in which the project is located and must be provided as soon as development of the schematic design of the project is complete.