

MAINE STATE LEGISLATURE

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*State Of Maine
122nd Legislature*

*First Regular Session and
First Special Session*

Bill Summaries

*Joint Standing Committee
on
State and Local Government*

August 2005

Members:

*Sen. Elizabeth M. Schneider, Chair
Sen. Margaret Rotundo
Sen. Mary Black Andrews*

*Rep. Christopher R. Barstow, Chair
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Rep. Charles William Harlow
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Rep. Roberta M. Muse*

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Maine State Legislature

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122nd Legislature
First Regular Session and First Special Session

Summary of Legislation Considered by the Joint Standing Committees
August 2005

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 organized by committees 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. A subject index for each committee is included immediately before the bill summaries for that committee, and a numerical index by LD number is included 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:

- CARRIED OVER Bill Carried Over to Second Regular Session
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
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 First Regular Session (unless otherwise specified in a particular law) is June 29, 2005; and for non-emergency legislation enacted in the First Special Session is September 17, 2005.

Joint Standing Committee on State and Local Government

LD 121 is a concept draft pursuant to Joint Rule 208 that proposed to enact measures designed to improve communication, cooperation and efficiencies within all 3 branches of State Government and provide state assistance to local government to encourage regionalization and cost-effective service delivery.

Committee Amendment "A" (H-389) proposed to replace the text of the concept draft. It proposed to rename the Intergovernmental Advisory Group the Intergovernmental Advisory Commission and add 2 members appointed by the Governor who represent public safety, one municipal member nominated by a statewide organization representing public safety interests and one county official nominated by a statewide association of county commissioners. It also proposed to require the Executive Department, State Planning Office to designate an individual as an intergovernmental coordinator who will work to encourage improved governmental cooperation, efficiencies in service delivery and coordination of regional and cooperative efforts initiated through state departments and agencies. The commission, which may meet up to 4 times per year, may have up to 6 additional meetings if it raises funds to compensate members. The amendment proposed to add an appropriations and allocations section.

Enacted law summary

Public Law 2005, chapter 222 renames the Intergovernmental Advisory Group the Intergovernmental Advisory Commission. It allows for 2 additional members appointed by the Governor who represent public safety, one municipal member nominated by a statewide organization representing public safety interests and one county official nominated by a statewide association of county commissioners. It also requires the Executive Department, State Planning Office to designate an individual as an intergovernmental coordinator who will work to encourage improved governmental cooperation, efficiencies in service delivery and coordination of regional and cooperative efforts initiated through state departments and agencies. The commission, which may meet up to 4 times per year, may have up to 6 additional meetings if it raises funds to compensate members.

LD 126

Resolve, Authorizing the City of Gardiner To Refinance Certain Temporary Bond Anticipation Notes Issued for Its Wastewater Project

**RESOLVE 2
EMERGENCY**

<u>Sponsor(s)</u>	<u>Committee Report</u>	<u>Amendments Adopted</u>
HANLEY S COWGER	OTP	

LD 126 proposed to allow the City of Gardiner to issue and sell its temporary general obligation bond anticipation notes in a principal amount not to exceed \$1,507,000 for an additional 2 years for the purpose of refinancing certain outstanding temporary notes originally issued in August 2002 and to finance additional costs of the wastewater project for the City of Gardiner.

Enacted law summary

Resolve 2005, chapter 2 allows the City of Gardiner to issue and sell its temporary general obligation bond anticipation notes in a principal amount not to exceed \$1,507,000 for an additional 2 years for the purpose of refinancing certain outstanding temporary notes originally issued in August 2002 and to finance additional costs of the wastewater project for the City of Gardiner.

Joint Standing Committee on State and Local Government

Resolve 2005, chapter 2 was finally passed as an emergency measure effective March 3, 2005.

LD 140 **An Act To Change the Name of T8 SD to Fletchers Landing Township** **P & S 3**

<u>Sponsor(s)</u>	<u>Committee Report</u>	<u>Amendments Adopted</u>
DAMON CROSTHWAITE	OTP-AM MAJ ONTP MIN	S-14

LD 140 proposed to authorize the Hancock County commissioners to seek approval from the residents of T8 SD to rename the township Fletchers Landing Township.

Committee Amendment "A" (S-14) proposed to rename the town of T8 SD, Fletchers Landing Township, without a referendum.

Enacted law summary

Private and Special Law 2005, chapter 3 renames the town of T8 SD in Hancock County, Fletchers Landing Township.

LD 150 **RESOLUTION, Proposing an Amendment to the Constitution of Maine To Require a 2/3 Vote of the Legislature To Enact or Increase a Tax** **ONTP**

<u>Sponsor(s)</u>	<u>Committee Report</u>	<u>Amendments Adopted</u>
DAVIS P TARDY	ONTP MAJ OTP MIN	

LD 150 proposed a constitutional amendment that requires approval of 2/3 of each House of the Legislature to enact or increase taxes or to repeal existing tax exemptions except when inadequate funds have been appropriated for debt payment.

LD 197 **An Act To Reduce Dependence on Fossil Fuels by Advancing Biodiesel Use** **ONTP**

<u>Sponsor(s)</u>	<u>Committee Report</u>	<u>Amendments Adopted</u>
CEBRA SNOWE-MELLO	ONTP MAJ OTP-AM MIN	

LD 197 proposed to require that all facilities owned by the State that consume heating oil use biodiesel fuel. This bill would require state-owned motor vehicles that use diesel fuels to use biodiesel fuel. These requirements are satisfied if the fuel used includes at least 20% biodiesel fuel.