

# 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  
Rep. Sonya G. Sampson  
Rep. Richard D. Blanchard  
Rep. Charles William Harlow  
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Rep. Roberta M. Muse*

**Staff:**

*Anna Broome, Legislative Analyst*

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



Maine State Legislature

OFFICE OF POLICY & LEGAL ANALYSIS

13 State House Station, Room 215 Cross State Office Building
Augusta, Maine 04333-0013
Telephone: (207) 287-1670
Fax: (207) 287-1275

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*

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.

## *Joint Standing Committee on State and Local Government*

**Committee Amendment "A" (H-266)**, which is the minority report, proposed to add an appropriations and allocations section to the bill.

**LD 222**                      **An Act To Undedicate County Fees for Recording Deeds**                      **ONTP**

<u>Sponsor(s)</u>	<u>Committee Report</u>	<u>Amendments Adopted</u>
PERRY J BARSTOW	ONTP	

LD 222 proposed to allow counties to use the \$3 surcharge on the recording of deeds as general revenue for the county.

**LD 223**                      **An Act To Create a Family Reunion Day in August**                      **PUBLIC 8**

<u>Sponsor(s)</u>	<u>Committee Report</u>	<u>Amendments Adopted</u>
GAGNON	OTP	

LD 223 proposed to designate the Monday after the first full weekend of August as Family Reunion Day.

### *Enacted law summary*

Public Law 2005, chapter 8 designates the Monday after the first full weekend of August as Family Reunion Day.

**LD 240**                      **An Act To Update Certain Provisions Pertaining to County Government**                      **PUBLIC 79**

<u>Sponsor(s)</u>	<u>Committee Report</u>	<u>Amendments Adopted</u>
PLUMMER SCHNEIDER	OTP	

LD 240 proposed to define the term "county official" in order to make the distinction between this category of county personnel, which includes both appointed and elected county offices, and the narrower category of "county officer," which refers only to elected offices. These definitions make the same distinction as those in municipal laws. The bill proposed to allow a county treasurer to pay clerical help either weekly or biweekly, at the discretion of the commissioners, consistent with recent changes to Maine's hour and wage laws. It also proposed to remove references to the Legislature in provisions governing adoption of a county budget because those provisions have been obsolete in all counties for a number of years.

### *Enacted law summary*

Public Law 2005, chapter 79 defines the term "county official" in order to make the distinction between this category of county personnel, which includes both appointed and elected county offices, and the narrower category of "county officer," which refers only to elected offices. These definitions make the same distinction as