

MAINE STATE LEGISLATURE

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*State Of Maine
122nd Legislature*

Second Regular Session

Bill Summaries

*Joint Standing Committee
on
State and Local Government*

July 2006

Members:

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

*Rep. Christopher R. Barstow, Chair
Rep. Richard D. Blanchard
Rep. Charles William Harlow
Rep. James M. Schatz
Rep. Robert H. Crosthwaite
Rep. George R. Bishop, Jr.
Rep. Howard E. McFadden
Rep. Bradley S. Moulton
Rep. Roberta M. Muse
Rep. William P. Browne*

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Maine State Legislature



Office of Policy and Legal Analysis Office of Fiscal and Program Review

122nd Maine Legislature Second Regular Session

Summary of Legislation Before The Joint Standing Committees

Enclosed please find a summary of all bills, resolves, joint study orders, joint resolutions and Constitutional resolutions that were considered by the joint standing 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/billsumm.htm).

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 |
| 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 (Pocket Veto)..... | Bill held by Governor |
| VETO SUSTAINED..... | Legislature failed to override Governor's Veto |

Please note that the effective date for all non-emergency legislation enacted in the Second Regular Session (unless otherwise specified in a particular law) is August 23, 2006.

Joint Standing Committee on State and Local Government

LD 1127

Resolve, Directing State Agencies To Assist and Facilitate any Governmental Units Wishing To Work Cooperatively

RESOLVE 130

| <u>Sponsor(s)</u> | <u>Committee Report</u> | <u>Amendments Adopted</u> |
|--------------------|-------------------------|---------------------------|
| ANDREWS BARSTOW | OTP-AM | S-434 |

LD 1127 proposed to require the Executive Department, State Planning Office, working with state and local government and education officials, to develop a municipal service district pilot project. Following a competitive process to determine the participating municipalities, the State Planning Office would continue to provide technical assistance, as well as grants, incentives and direct financial assistance to the municipalities participating in the pilot project. The bill proposed a timeline for the development and submission of projects and for the design and implementation of the municipal service districts. Funding would be provided through the Fund for the Efficient Delivery of Local and Regional Services and a separate appropriation.

Committee Amendment "A" (S-434) proposed to direct each state agency to establish a process by which municipalities that are involved in the joint provision of services with other units of government may fulfill statutory filing requirements by filing jointly with those units. The amendment proposed to require state agencies to report on the progress and the status of changes to the Executive Department, State Planning Office by November 30, 2006. The State Planning Office would report its findings and recommendations to the joint standing committee of the Legislature having jurisdiction over state and local government matters.

Enacted law summary

Resolve 2005, chapter 130 directs each state agency to establish a process by which municipalities that are involved in the joint provision of services with other units of government may fulfill statutory filing requirements by filing jointly with those units. State agencies must report on the progress and the status of changes to the Executive Department, State Planning Office by November 30, 2006. The State Planning Office shall report its findings and recommendations to the joint standing committee of the Legislature having jurisdiction over state and local government matters.

LD 1230

An Act To Facilitate and Promote Regional Cooperation

ONTP

| <u>Sponsor(s)</u> | <u>Committee Report</u> | <u>Amendments Adopted</u> |
|-------------------|-------------------------|---------------------------|
| SHIELDS CLUKEY | ONTP | |

LD 1230 proposed to address regional cooperation issues. The bill proposed to make real or personal property used for providing regional services to 2 or more municipalities exempt from property taxation. It proposed to allow municipalities to enter into cooperative arrangements for transit, solid waste, household hazardous waste, economic development, code enforcement and joint purchasing activities and would clarify that these endeavors are cooperative regional government activities. The bill also proposed to clarify that staff providing joint services are municipal officials. It proposed to grant to regional planning commissions the powers of a regional council. In addition, the minutes of commission meetings would be provided on request or posted on a website, rather than mailed to every member of the planning board and all municipal officials, in order to save on printing and mailing costs.