

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 1414

An Act To Authorize Municipalities To Create Municipal Fire Districts

ONTP

<u>Sponsor(s)</u>	<u>Committee Report</u>	<u>Amendments Adopted</u>
DUPLESSIE	ONTP MAJ	
PERRY J	OTP-AM MIN	

LD 1414 proposed to authorize municipalities to create municipal fire districts that may, by ordinance, charge service charges for fire protection. The bill proposed to amend a statute to authorize municipalities to collect regional fire district service charges in addition to taxes.

Committee Amendment "A" (H-773), which was the minority report, proposed to replace the bill. The amendment proposed to direct Maine Revenue Services to establish a working group to examine options for reevaluating the distribution of property tax within municipalities and between service center and nonservice center municipalities. The working group would include members from the Maine Municipal Association, the Maine Service Centers Coalition, institutions of higher education in the State, the Maine Hospital Association, the YMCA, the Maine Council of Churches and other representatives of charitable or tax-exempt organizations.

LD 1481

An Act To Amend the Laws Governing the Enactment Procedures for Ordinances **POCKET VETO**

<u>Sponsor(s)</u>	<u>Committee Report</u>	<u>Amendments Adopted</u>
BROMLEY	OTP-AM MAJ	S-437
KOFFMAN	ONTP MIN	S-554 SCHNEIDER

LD 1481 proposed to establish the procedures for ordinances enacted by citizen's initiative so that all ordinances apply prospectively and the procedure for people's veto of ordinances enacted by a municipality.

Committee Amendment "A" (S-242) proposed to establish procedures for the enactment of local ordinances and ordinance amendments by direct initiative and prohibits the application of a new local ordinance enacted by direct initiative to construction or projects for which permits or approvals have been granted. The bill and this amendment were recommitted to committee to be carried over into the second session.

Committee Amendment "B" (S-243), which is the minority report, proposed to establish procedures for the enactment of local ordinances and ordinance amendments by direct initiative and prohibits the application of a new local ordinance to construction projects for which a permit or municipal approval has been granted and finally decided. The bill and this amendment were recommitted to committee to be carried over into the second session.

Committee Amendment "C" (S-437) proposed to prohibit a municipality from nullifying or amending a municipal land use permit by a subsequent enactment, amendment or repeal of a local ordinance more than 30 days after approval of the permit.

House Amendment "I" to Committee Amendment "C" (H-1051) proposed to incorporate the provisions of Senate Amendment "C" to Committee Amendment "C", except this amendment also specifies the procedure for a