

Joint Standing Committee on State and Local Government

LD 86 **An Act to Establish a Children's Bureau within the Executive Department to Serve the Department of Human Services, the Department of Mental Health, Mental Retardation and Substance Abuse Services, the Department of Education and the Department of Corrections** **ONTP**

<u>Sponsor(s)</u>	<u>Committee Report</u>	<u>Amendments Adopted</u>
LOVETT MITCHELL B	ONTP	

LD 86 proposed to establish the Maine Children's Bureau within the Executive Department to serve the Department of Human Services, the Department of Mental Health, Mental Retardation and Substance Abuse Services, the Department of Corrections and the Department of Education. The bureau would provide case management services in cases involving child abuse and neglect and children's mental health and educational and juvenile corrections issues for children within the care of the departments. The bill was introduced in the First Regular Session of the 119th Legislature but was carried over to the Second Regular Session.

LD 253 **Resolve, to Create the Commission to Study the Feasibility of Televising Senate and House Sessions** **INDEF PP**

<u>Sponsor(s)</u>	<u>Committee Report</u>	<u>Amendments Adopted</u>
ANDREWS MILLS	OTP-AM	

LD 253 proposed to direct the Executive Director of the Legislative Council to develop a system to cable televise the proceedings of the Legislature, to go into effect no later than January 1, 2001.

Committee Amendment "A" (H-771), proposed to replace the original resolve with a 15-member Commission to Study the Feasibility of Televising Senate and House Sessions. It proposed to require the commission to report to the First Regular Session of the 120th Legislature by December 15, 2000. It also proposed to add an appropriation section.

LD 299

Resolve, to Create the Committee to Study the Governance of the Unorganized Territories of Maine

INDEF PP

<u>Sponsor(s)</u>	<u>Committee Report</u>	<u>Amendments Adopted</u>
JOY	OTP-AM	

LD 299 was a concept draft pursuant to Joint Rule 208. It proposed to create a governance system for unorganized towns. It also proposed changes to the laws governing unorganized towns, the deorganization of municipalities and the Maine Land Use Regulation Commission. A subcommittee considered a fully-drafted version of the bill during the interim. That draft was the subject of a public hearing and work session in the Second Regular Session.

Committee Amendment "A" (H-782), proposed to establish a 15-member Committee to Study the Governance of the Unorganized Territories of Maine. It proposed that the study committee examine the feasibility of establishing an alternative system of governance for the unorganized territories, such as that proposed in the report of the subcommittee of the Joint Standing Committee on State and Local Government on Legislative Document 299. The amendment proposed to set a reporting deadline of December 15, 2000.

Senate Amendment "A" to Committee Amendment "A" (S-559) proposed to alter the membership and duties of the Committee to Study the Governance of the Unorganized Territories of Maine. It also proposed a change to the committee's reporting date. The amendment proposed that the committee examine and explore options for greater self-governance for the unorganized territories.

LD 391

An Act to Develop a Department of Children

ONTP

<u>Sponsor(s)</u>	<u>Committee Report</u>	<u>Amendments Adopted</u>
O'BRIEN J	ONTP MAJ OTP-AM MIN	

LD 391 was a concept draft pursuant to Joint Rule 208. The bill proposed to consolidate all services to children provided by the State in one department. It was introduced in the First Regular Session of the 119th Legislature, but was carried over to the Second Regular Session.

Committee Amendment "A" (H-966), which was not adopted, replaced the bill with a resolve that would create the Task Force to Implement the 1991 Report of the President's and Speaker's Blue Ribbon Commission on Children and Families. The task force's membership would consist of the Speaker of the House, the President of the Senate and the House and Senate majority and minority leaders. The task force would be required to report by November 1, 2000. The amendment also proposed adding an appropriation section for funds to support the task force's efforts.

<u>Sponsor(s)</u>	<u>Committee Report</u>	<u>Amendments Adopted</u>
TOWNSEND	OTP-AM MAJ	H-793
NUTTING J	ONTP MIN	

LD 448 proposed to amend Maine Revised Statutes Annotated, Title 23, section 3101, which requires members of private road associations to determine what repairs need to be made to the road and to share the cost of those repairs. This bill proposed that members of private road associations could not be required by their association to pay for major improvements to the road, such as paving. LD 448 was introduced in the First Regular Session of the 119th Legislature, but was carried over the Second Regular Session.

Committee Amendment "A" (H-793) was the majority report. It proposed to further define the meaning of "repairs" to private ways and to limit to 1% of an individual property owner's property valuation in any calendar year the amount that the road commissioner of a local road association could assess individual property owners for annual road repairs.

Enacted law summary

Public Law 1999, chapter 552 further defines the meaning of "repairs" to private way in Maine Revised Statutes Title 23, section 3101. Specifically, the law prohibits repairs to include paving unless the paving undertaken is to repair existing pavement or to fix an erosion problem. The law also limits to 1% of an individual owner's property valuation the amount that a road commissioner may assess that individual property owner for road repairs in any calendar year.

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

LD 529 proposed to amend Chapter 153 of Title 5 of the Maine Revised Statutes Annotated with regard to the manner in which retainage would be withheld for state construction projects over \$1,000,000 in value and for school construction projects over \$1,000,000 in value and for which state aid is received. The bill proposed to limit the retention of contract payments on those public improvement construction projects to line items in the project contract and to situations in which unsatisfactory progress had been made by a contractor or subcontractor. In those cases, up to 5% of the payment due under the project contract could be withheld until all contract requirements for the line item have been completed. Following completion of a line item, any retained payments could be paid promptly. At the end of a project, the value of punch list and incomplete items could be retained as well as withholding to cover good faith claims of the owner, including claims for unsatisfactory progress on the project. The bill proposed that over the course of the project, the owner would make the determination of how much of the payment due would be retained up to the 5% limit and as to whether satisfactory progress had been made on the project. LD 529 was introduced in the First Regular Session of the 119th Legislature, but was carried over to the Second Regular Session.

Committee Amendment "A" (S-555), which was not adopted, was the minority report. It proposed to make several changes to the original bill. Among other things, the amendment proposed to change the title of the bill and to strike from the bill any reference to state-owned public improvement projects. The amendment proposed to retain the bill's application to school construction projects in excess of \$1,000,000. It also proposed to add new definitions to section 2 of the bill and to further define how contract line items were to be divided in calculating retainage. The amendment also proposed to change the application date of the bill to January 1, 2001.

LD 533

An Act Concerning State Government Competition with Private Enterprise

PUBLIC 566

<u>Sponsor(s)</u>	<u>Committee Report</u>	<u>Amendments Adopted</u>
MITCHELL B	OTP-AM A	H-824 AHEARNE
CIANCHETTE	OTP-AM B	S-478
	ONTP C	

LD 533 proposed to prohibit the State from providing services for fees or undertaking enterprises that would compete with private industry. It was introduced in the First Regular Session of the 119th Legislature, but was carried over the Second Regular Session.

Committee Amendment "A" (S-478), was the majority report. It proposed to establish a 9-member advisory committee to handle complaints and issues regarding potentially unfair competition practices by the State with private enterprise. The amendment directed the advisory committee to meet at least once a year and to submit an annual report by January 15th of each year to the Governor and the joint standing committee of the Legislature having jurisdiction over state and local government matters.

Committee Amendment "B" (S-479), which was not adopted, was the minority report. It proposed to establish a 9-member advisory committee to handle complaints and issues regarding potentially unfair competition practices by the State with private enterprise. The amendment also directed the advisory committee to meet at least once quarterly and to submit an annual report by January 15th of each year to the Governor and the joint standing committee of the Legislature having jurisdiction over state and local government matters. The amendment also proposed to require the Department of Administrative and Financial Services, which would provide staff services to the committee, to provide minutes of the committee's meetings to the joint standing committee of the Legislature having jurisdiction over state and local government matters.

House Amendment "A" to Committee Amendment "A" (H-824), proposed to clarify the membership and initial terms of the advisory committee.

Enacted law summary

Public Law 1999, chapter 566 establishes a 9-member advisory committee to handle complaints and issues regarding potentially unfair competition practices by the State with private enterprise. The advisory committee is directed to meet at least once a year and to submit an annual report by January 15th of each year to the Governor and the joint standing committee of the Legislature having jurisdiction over state and local government matters.

LD 852 Resolve, to Study Outdated, Contradictory and Unenforced Laws DIED BETWEEN BODIES

<u>Sponsor(s)</u>	<u>Committee Report</u>	<u>Amendments Adopted</u>
CAMPBELL	ONTP MAJ	
CAREY	OTP-AM MIN	

LD 852 proposed to require the Commissioner of Labor and Commissioner of Human Services to conduct a study of outdated, contradictory and unenforced laws and to report to the Legislature by January 15, 2000. Introduced in the First Regular Session, the bill was carried over to the Second Regular Session of the 119th Legislature.

Committee Amendment "A" (H-855), which was not adopted, was the minority report. It proposed to require the Commissioner of Labor, the Commissioner of Human Services and the Commissioner of Mental Health, Mental Retardation and Substance Abuse Services to acquire feedback from their departments' providers and customers regarding outdated, contradictory and unenforced laws. The amendment also would require the commissioners to report on their findings and to recommend legislation by January 31, 2001 to the joint standing committee of the Legislature having jurisdiction over the reporting department.

LD 1001 An Act to Repeal Term Limits ONTP

<u>Sponsor(s)</u>	<u>Committee Report</u>	<u>Amendments Adopted</u>
CAMERON	ONTP	
GOLDTHWAIT		

LD 1001 proposed to repeal term limits. It was introduced in the First Regular Session of the 119th Legislature, but was carried over to the Second Regular Session.

LD 1849 An Act to Amend the Laws Governing Public Easements and the Discontinuance of Town Ways ONTP

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

LD 1849 proposed to amend Maine Revised Statutes, Title 23, section 3026, subsection 1 to require that a municipality may only retain a public easement in a discontinued road by stating in the discontinuance order that a public easement will be retained. LD 1849 was introduced in the First Regular Session of the 119th Legislature, but was carried over the Second Regular Session.

Committee amendment “A” (H-792), which was not adopted, proposed to eliminate the retention of a public easement by a municipality when a town way is discontinued. The amendment proposed that the land occupied by the discontinued town way be rejoined to the abutting property from which it was taken. The amendment also proposed to preserve any existing utility easement over the discontinued town way.

LD 1876 An Act to Reform County Governance ONTP

<u>Sponsor(s)</u>	<u>Committee Report</u>	<u>Amendments Adopted</u>
MILLS	ONTP	

LD 1876 was a concept draft introduced in the First Regular Session of the 119th Legislature pursuant to Joint Rule 208. It proposed to reform county government by amending the Maine Revised Statutes, Title 30-A to create a uniform structure for county governments. Among the proposed changes were: increasing the number of commissioners; making the commissioner districts uniform in size within the county; staggering the terms of the commissioners; and authorizing the commissioners to appoint the sheriff, the register of deeds, the register of probate, the county treasurer, and the Judge of Probate.

The bill was carried over to the Second Regular Session. The committee held a second public hearing on a fully-drafted version of the bill that proposed to increase the number of commissioners elected in each county, to reapportion county commissioner districts in 2001 and to require the Legislature to vote on the plan in 2002, to repeal the election of county treasurers and registers of deeds, and to grant the county commissioners of each county the authority to appoint the treasurer and register of deeds and to set their salaries.

**LD 2087 An Act to Establish the Public Resources and Information for
Maine Foundation INDEF PP**

<u>Sponsor(s)</u>	<u>Committee Report</u>	<u>Amendments Adopted</u>
KONTOS WATSON	OTP-AM	

LD 2087 proposed to establish the Public Resources and Information for Maine Foundation with a General Fund appropriation of \$100,000 for fiscal year 1999-00. The bill also proposed that the foundation be scheduled for review under the State Government Evaluation Act in 2004.

Committee Amendment "A" (S-570), proposed to make several changes to the original bill, including:

1. Deleting a section in the original bill establishing a board of corporators;
2. Altering the composition of the Public Resources and Information for Maine Foundation's board of directors;
3. Removing from the services to be developed by the foundation the establishment of dedicated electronic media channels for full-time coverage of legislative and other government proceedings;

4. Requiring the foundation to report to the joint standing committee of the Legislature having jurisdiction over state and local government matters rather than to the Legislature as a whole;
5. Requiring the Governor to call the first meeting of the foundation's directors and to appoint an acting chair;
6. Limiting General Funds for the foundation to its first full year of operation; and
7. Changing the fiscal year for the seed money appropriation section.

The amendment also added an appropriation.

LD 2176 **Resolve, to Require Certain Reports Concerning the Use of Automated Telephone Answering Equipment by State Government** **RESOLVE 90 EMERGENCY**

<u>Sponsor(s)</u>	<u>Committee Report</u>	<u>Amendments Adopted</u>
KIEFFER	OTP-AM MAJ	S-488
MAYO	OTP-AM MIN	

LD 2176 proposed to require agencies and departments of State Government to have a live operator answer all incoming telephone calls to the agency or department during business hours, except for emergency hot lines and telephone lines that provide general information.

Committee Amendment "A" (S-488), was the majority report. It proposed to convert the original bill into an emergency resolve that would require the Commissioner of Administrative and Financial Services to make both preliminary and final reports to the joint standing committee of the Legislature having jurisdiction over state government matters on the implementation of a new policy on the use of automated telephone answering equipment by state agencies. The amendment also proposed to grant authority to the joint standing committee of the Legislature having jurisdiction over state government matters to report out a bill during the First Regular Session of the 120th Legislature.

Committee Amendment "B" (S-489), which was not adopted, retained the original bill's requirement that agencies and departments of State Government have a live operator answer all incoming calls during business hours, except for emergency hot lines and telephone lines that provide general information. It also proposed to require the Commissioner of Administrative and Financial Services to make both preliminary and final reports to the joint standing committee of the Legislature having jurisdiction over state government matters on the implementation of a new policy on the use of automated telephone answering equipment by state agencies. The amendment also proposed to grant authority to the joint standing committee of the Legislature having jurisdiction over state government matters to report out a bill during the First Regular Session of the 120th Legislature.

Enacted law summary

Resolve 1999, chapter 90 requires the Commissioner of Administrative and Financial Services to make both preliminary and final reports to the joint standing committee of the Legislature having jurisdiction over state government matters on the implementation of a new policy on the use of automated telephone answering equipment by state agencies. It also grants authority to the joint standing committee of the

Legislature having jurisdiction over state government matters to report out a bill in response to the reports during the First Regular Session of the 120th Legislature.

Resolve 1999, chapter 90 was finally passed as an emergency measure effective April 14, 2000.

LD 2261

**An Act to Make Technical Changes in the Law Authorizing the
Capital Riverfront Improvement District**

P & S 68

<u>Sponsor(s)</u>	<u>Committee Report</u>	<u>Amendments Adopted</u>
DAGGETT	OTP-AM MAJ OTP-AM MIN	S-495

LD 2261 proposed to amend the Private and Special law (1999, chapter 58) that established the Capital Riverfront Improvement District. The bill proposed to allow the Governing Board of the Capital Riverfront Improvement District to add additional members and to alter the boundaries of the district. It also proposed to change the reporting date of the governing board.

Committee Amendment "A" (S-495), was the majority report. It proposed to require the district governing board to elect co-chairs. The amendment also proposed to delete a reporting requirement on the district master plan to the Joint Standing Committee on State and Local Government.

Committee Amendment "B" (S-496), which was not adopted, was the minority report. It also proposed to require the district governing board to elect co-chairs. The amendment also proposed to authorize the district to alter the district's permanent boundaries once prior to August 31, 2000 without legislative approval. The amendment also proposed to delete a reporting requirement on the district master plan to the Joint Standing Committee on State and Local Government.

Enacted law summary

Private and Special Law 1999, chapter 68 amends the law establishing the Capital Riverfront Improvement District (Private and Special Law 1999, chapter 58) to allow the Governing Board of the Capital Riverfront Improvement District to appoint additional members and to alter the boundaries of the district. The law also requires the district governing board to elect co-chairs and deletes a reporting requirement regarding the district master plan to the Joint Standing Committee on State and Local Government.

LD 2275

**An Act to Amend the Laws Governing the Work Center Product
and Services Set Aside**

PUBLIC 543

Sponsor(s)
WESTON

Committee Report
OTP

Amendments Adopted

LD 2275 proposed to amend the definition of "work center" to be consistent with the Federal Government and provider direction. It would accomplish this by removing from State statute a requirement that a work center be a rehabilitation facility or part of such a facility and would broaden the definition of work centers to include private sector businesses. LD 2275 not only proposed to continue a requirement that a program provide vocational rehabilitative services to individuals with disabilities, but also proposed to support the current practice of encouraging rehabilitation providers to offer services in a competitive and integrated environment. The bill also proposed to improve the representation on the Work Center Purchases Committee of disabled persons by increasing to 5 the number of persons with disabilities on the committee.

Enacted law summary

Public Law 1999, chapter 543 amends the definition of "work center" to be consistent with the Federal Government and provider direction. It accomplishes this by removing from State law a requirement that a work center must be a rehabilitation facility or part of such a facility and by broadening the definition of work center to include private sector businesses. The law not only continues to require that a program provide vocational rehabilitative services to individuals with disabilities, but also supports the current practice of encouraging rehabilitation providers to offer services in a competitive and integrated environment. Public Law 1999, chapter 543 also increases the representation of persons with disabilities on the Work Center Purchases Committee. The number of such persons was increased to a minimum of 5 of the board members.

LD 2300

**An Act to Make Minor Changes to the Community Development
Definitions to Maintain Compatibility with Federal Regulations**

PUBLIC 540

Sponsor(s)
DAGGETT

Committee Report
OTP

Amendments Adopted

LD 2300 proposed to change the definition of "blighted area" from an area with a predominance of buildings needing improvement to an area with a substantial number of buildings that need improvement. This proposed change to the Maine Revised Statutes, Title 31-A, chapter 104 would mirror current Federal law.

Enacted law summary

Public Law 1999, chapter 540 updates the State's Community Development Block Grant (CDBG) program guidelines to mirror Federal guidelines. It does this by changing the definition of "blighted area" from an area with a predominance of buildings needing improvement to an area with a substantial number of buildings that need improvement. The change will increase the number of areas in the State that could

be so designated and thus eligible for the CDGB funds. The law also makes other minor wording changes to Maine Revised Statutes, Title 30-A, chapter 104.

LD 2309 **Resolve, Authorizing the Commissioner of Administrative and Financial Services to Transfer or Acquire Property or Interests in Property at the Maine Criminal Justice Academy, Oak Grove Coburn School in Vassalboro and Maine State Prison in Thomaston** **RESOLVE 97**

<u>Sponsor(s)</u>	<u>Committee Report</u>	<u>Amendments Adopted</u>
PENDLETON	OTP-AM	S-550

LD 2309 proposed to authorize the Commissioner of Administrative and Financial Services to acquire or release easements, rights-of-way and other interests in property at the Oak Grove Coburn School in Vassalboro in order to contribute to the value and efficient functioning of the facility.

Committee Amendment "A" (S-550), proposed to amend the resolve by limiting the authority of the Commissioner of Administrative and Financial Services to transfer or to acquire interests in property to nonfee interests such as easements or rights-of-way. The amendment also proposed to include as property subject to the resolve the Maine Criminal Justice Academy in Waterville and the Maine State Prison in Thomaston. It also amends the title to reflect those additional properties. The amendment also proposed to repeal the resolve 3 years after its effective date.

Enacted law summary

Resolve 1999, chapter 97 authorizes the Commissioner of Administrative and Financial Services to transfer or acquire nonfee interests such as easements or rights-of-way in state-owned property at the Oak Grove Coburn School in Vassalboro, the Maine Criminal Justice Academy in Waterville and the Maine State Prison in Thomaston. The authority granted in the resolve is automatically repealed 3 years from the resolve's effective date.

LD 2319 **Resolve, Authorizing the Commissioner of Administrative and Financial Services to Sell or Lease the Interests of the State in the Maine State Prison in Thomaston** **RESOLVE 114**

<u>Sponsor(s)</u>	<u>Committee Report</u>	<u>Amendments Adopted</u>
AHEARNE	OTP-AM MAJ ONTP MIN	H-862

LD 2319 proposed to authorize the Commissioner of Administrative and Financial Services to sell or lease the Maine State Prison in Thomaston.

Committee Amendment "A" (H-862), which was adopted, proposed to amend the resolve by extending the repeal date of the resolve from 3 years to 5 years from its effective date.

Enacted law summary

Resolve 1999, chapter 114 authorizes the Commissioner of Administrative and Financial Services to sell or lease the Maine State Prison property in Thomaston. The law is repealed 5 years from its effective date.

LD 2342 An Act to Add Emergency Medical Services to the Municipal Fire Department Authority PUBLIC 570

<u>Sponsor(s)</u> DUPLESSIE RAND	<u>Committee Report</u> OTP-AM	<u>Amendments Adopted</u> H-822
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LD 2342 proposed to clarify that the terms "resident" and "residence" are applicable to legal entities as well as to individuals for the purpose of the provision of emergency services. It also proposed to specifically authorize municipal fire departments to provide ambulance service, including interfacility ambulance transport, and emergency medical treatment. LD 2342 also proposed to enable the provision of these services pursuant to mutual aid agreements among municipalities.

Committee Amendment "A" (H-822), replaced the original bill. The amendment proposed to expand the definition of "municipal fire department" and to define "emergency services" under the Maine Revised Statutes, Title 30-A. This amendment also proposed to broaden the emergency services that municipal fire departments could provide to other municipalities through mutual aid agreements. It also proposed to make technical changes to Title 30-A, section 5725.

Enacted law summary

Public Law 1999, chapter 570 expands the definition of "municipal fire department" and defines "emergency services" under the Maine Revised Statutes, Title 30-A. The law also expands the number of emergency services that municipal fire departments may provide to other municipalities through mutual aid agreements. It also makes technical changes to Title 30-A, section 5725.

LD 2382 An Act to Require Expenditure of Designated Funds for the Purpose for which the Legislature Designated the Funds PUBLIC 554

<u>Sponsor(s)</u> GOLDTHWAIT	<u>Committee Report</u> OTP-AM	<u>Amendments Adopted</u> S-497
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LD 2382 proposed to address the issue of a county's refusal to spend for a specific purpose funds so designated by the Legislature. LD 2382 proposed that if a county receives a specific amount in its unorganized territory budget that was to be spent for a purpose designated by the Legislature and the county subsequently refuses to spend those funds for that purpose, then the county would have its unorganized territory budget for the following year reduced by an amount equal to the amount of designated funds that the county had refused to spend.

Committee Amendment "A" (S-497), which replaced the original bill proposed to clarify the intent of the original bill. The amendment proposed that the law only apply to Legislatively-designated funds for a specific purpose or purposes that are in addition to the services or projects normally included in a county's annual unorganized territory services budget.

Enacted law summary

Public Law 1999, chapter 554 addresses the issue of the refusal by the county commissioners of a county to spend for a specific purpose funds designated for that purpose by the Legislature. The law requires that an amount equal to the amount of designated funds that the commissioners refused to spend be deducted from the county's unorganized territory services reimbursement for the next fiscal year. The law applies only to Legislatively-designated funds that are for a purpose or purposes that are in addition to the services or projects normally included in a county's annual unorganized territory services budget.

LD 2412

An Act to Clarify the Process for a County Bond Referendum Election

PUBLIC 717

<u>Sponsor(s)</u>	<u>Committee Report</u>	<u>Amendments Adopted</u>
MURPHY T	OTP-AM MAJ	H-805
FERGUSON	OTP MIN	H-889 SAVAGE C

LD 2412 proposed to establish the process for county commissioners or county administrators to follow in conducting a county bond referendum election.

Committee Amendment "A" (H-805), proposed to replace the original bill and to repeal section 936 of the Maine Revised Statutes, Title 30-A. This section required counties to obtain legislative approval before issuing bonds. The amendment also proposed to direct counties to conduct county bond issue referendum elections according to the provisions of Title 21-A. It also proposed to require county commissioners to hold a public hearing in each county commissioner district prior to a bond issue election.

House Amendment "A" to Committee Amendment "A" (H-889), proposed to require that prior to the public hearing on the county bond referendum, each county bond issue must be reviewed by the respective county budget committee.

House Amendment "B" to Committee Amendment "A" (H-910), which was not adopted, proposed to require a review by a county budget committee, if there is one, after the public hearings and a 2/3 affirmative vote by that committee before the county commissioners may conduct a county bond referendum election.

Enacted law summary

Public Law 1999, chapter 717 establishes the process for county commissioners or county administrators to follow in conducting a county bond referendum election. The law repeals section 936 of Title 30-A of the Maine Revised Statutes, which required legislative approval of county bond issuances. Public Law 1999, chapter 717 directs counties to conduct county bond issue referendum elections according to the provisions of Title 21-A. It also requires that county commissioners hold a public hearing in each county commissioner district prior to a bond issue election. The law also requires that, prior to the public hearings

on the county bond referendum, each county bond issue must be reviewed by the respective county budget committee.

LD 2417 **An Act to Improve the Working Effectiveness of the State Employee Health Commission** **ONTP**

<u>Sponsor(s)</u>	<u>Committee Report</u>	<u>Amendments Adopted</u>
HATCH DOUGLASS	ONTP	

LD 2417 was a concept draft pursuant to Joint Rule 208 that proposed to enhance the timely distribution of materials and information to all members of the State Employee Health Commission. It also sought to equalize the distribution of information to members and the authority to gather and request information by members of that commission.

LD 2461 **Resolve, to Create a Commission to Study and Establish Moral Policies Regarding Foreign Investments and Foreign Purchasing by the State** **RESOLVE 135**

<u>Sponsor(s)</u>	<u>Committee Report</u>	<u>Amendments Adopted</u>
MATTHEWS	OTP-AM MAJ ONTP MIN	H-870 S-800 KILKELLY

LD 2461 proposed to create a commission to study the establishment of moral investment policies and moral purchasing policies by the State. It proposed that the commission’s study consider such factors as exploitation of workers, frequency of Occupational Safety and Health Administration violations and layoff of Maine employees solely for economic gain. The resolve also proposed that the commission establish standards for moral policies and present these policies to the Legislature for adoption.

Committee Amendment "A" (H-870), was the majority report. In addition to changing the title of the resolve, it proposed to add a requirement that the Executive Director of the Legislative Council call the first meeting of the Commission to Study Economically and Socially Just Policies on Investments and Purchasing by the State. It also proposed to delete a requirement that the study commission establish moral standards that would prohibit the State from making certain investments or purchases. The amendment proposed to direct the commission to study economically and socially just policies for investment and purchase by the State and to make recommendations about such policies to the First Regular Session of the 120th Legislature. It also proposed to add an appropriation section to the resolve.

House Amendment "A" to Committee Amendment "A" (H-954), which was not adopted, proposed to add 2 members to the commission -- one representing labor unions and one representing manufacturing and industry. The amendment also proposed to remove the Treasurer of State and a representative from the Maine State Retirement System as members. It also proposed to replace the representative from the Maine State Retirement System with 2 representatives from retail business. The amendment also proposed to strike and replace the appropriation section.

Senate Amendment "A" to Committee Amendment "A" (S-602), which was not adopted, proposed to change the duties as amended by Committee Amendment "A" of the Commission to Study Economically and Socially Just Policies on Investments and Purchasing by the State. It proposed to require the commission to propose standards concerning companies doing business with the State and to make recommendations as to whether the State should do business with other countries that oppress or mistreat their workers.

Senate Amendment "B" to Committee Amendment "A" (S-636), which was not adopted, also proposed to change the duties as amended by Committee Amendment "A" of the Commission to Study Economically and Socially Just Policies on Investments and Purchasing by the State. It proposed to require the commission to propose standards concerning companies doing business with the State considering such factors as child labor and exploitation of workers under unhealthy conditions and to make recommendations as to whether the State should do business with businesses that oppress or mistreat their workers. This amendment also proposed to delete from the original resolve the duty that the commission consider such factors as exploitation of workers and frequency of Occupational Safety and Health Administration violations by Maine workers. This amendment also proposed to add a preamble to the resolve.

Senate Amendment "C" to Committee Amendment "A" (S-690), which was not adopted, proposed to amend the title of the resolve and to change the duties, as amended by Committee Amendment "A," of the Commission to Study Economically and Socially Just Policies on Investments and Purchasing by the State. It proposed to require the commission to propose standards concerning foreign investments and foreign purchasing by the State, considering such factors as child labor and exploitation of workers under unhealthy conditions, and to make recommendations as to whether the State should do business with foreign businesses that oppress or mistreat their workers. This amendment also proposed to remove the duty that the commission consider such factors as exploitation of workers and frequency of Occupational Safety and Health Administration violations by Maine businesses. This amendment also proposed to add a preamble to the resolve.

Senate Amendment "D" to Committee Amendment "A" (S-790), which was not adopted, proposed to add an emergency preamble and emergency clause to the resolve and to change the name of the commission to the Commission to Study Economically and Socially Just Policies for Foreign Investments and Foreign Purchasing by the State. The amendment also proposed to make minor changes to the appointment process.

Senate Amendment "E" to Committee Amendment "A" (S-800), which was adopted, proposed to amend Committee Amendment "A" by renaming the commission the Commission to Study and Establish Moral Policies Regarding Foreign Investments and Foreign Purchasing by the State. It also proposed to strike out the emergency preamble and emergency clause inserted by Senate Amendment "D." It further proposed to insert a preamble as proposed in Senate Amendment "C". The amendment also proposed to incorporate the membership changes proposed in House Amendment "A" and further proposed to incorporate the changes in the commission's duties proposed in Senate Amendment "C." Senate Amendment "E" also proposed to specify that all commission members be appointed by August 18, 2000, that the initial meeting of the commission occur by August 31, 2000 and that the commission issue its report by November 15, 2000.

Enacted law summary

Resolve 1999, chapter 135 creates the Commission to Study Economically and Socially Just Policies for Foreign Investments and Foreign Purchasing by the State. In examining this issue, the 12-member commission must evaluate the policies of other states, propose standards concerning foreign companies that do business with the State and foreign companies invested in by the State, and make recommendations to the Legislature as to whether the State should do business with and invest in foreign companies that oppress or mistreat their workers. The law requires the commission to consider such factors as child labor and exploitation of workers under unhealthy conditions. The commission also must identify the possible positive and negative impacts of proposed policies on Maine workers, Maine small businesses and Maine taxpayers. The law requires the commission to issue its report by November 15, 2000.

LD 2471

**Resolve, to Recognize Veterans of the Vietnam War in the State
House Hall of Flags**

RESOLVE 113

<u>Sponsor(s)</u>	<u>Committee Report</u>	<u>Amendments Adopted</u>
CAMPBELL MICHAUD	OTP-AM	H-1037 AHEARNE H-837

LD 2471 proposed to create a special commission to erect a plaque in the Hall of Flags honoring the veterans of the Vietnam War from Maine.

Committee Amendment "A" (H-837), proposed to amend the original resolve by adding a flag or flags to the items that will be displayed in the State House Hall of Flags to honor veterans of the Vietnam War. It also proposed to require that the Maine Historic Preservation Commission develop and recommend to the Legislative Council and to the joint standing committee of the Legislature having jurisdiction over state and local government matters a more formalized, permanent process through which to handle future requests for adding new plaques, flags or other commemorative items to the State House Hall of Flags. The Historic Preservation Commission would be required to report in writing on its proposal to the committee and the Executive Director of the Legislative Council by December 15, 2000. It also proposed to authorize the committee to report out legislation based on the commission's recommendations.

House Amendment "A" to Committee Amendment "A" (H-1037), proposed to make technical changes to bring the resolve into conformance with the Legislative Council's guidelines for commissions. The amendment also proposed to specify that commission members may not be Legislators and must serve without compensation. The amendment also proposed to incorporate the change from Senate Amendment "A" (S-540).

Senate Amendment "A" (S-540), which was not adopted, proposed a technical change in the resolve to ensure consistency with Committee Amendment "A," filing number H-837.

Enacted law summary

Resolve 1999, chapter 113 creates a 5-member commission to erect a plaque and place a flag or flags in the Hall of Flags honoring the veterans of the Vietnam War from Maine. The law specifies that none of the commission members may be legislators and that all must serve without compensation. It also requires that

the Maine Historic Preservation Commission develop and recommend to the Legislative Council and to the joint standing committee of the Legislature having jurisdiction over state and local government matters a more formalized, permanent process through which to handle future requests for adding new plaques, flags or other commemorative items to the State House Hall of Flags. The Historic Preservation Commission must report in writing on its proposal to the committee and the Executive Director of the Legislative Council by December 15, 2000. The law also authorizes the joint standing committee having jurisdiction over state and local government matters to report out legislation based on the commission's recommendations in the First Session of the 120th Legislature.

LD 2480

An Act to Allow Police Assistance in Emergency Situations

PUBLIC 654

<u>Sponsor(s)</u>	<u>Committee Report</u>	<u>Amendments Adopted</u>
MURPHY E	OTP-AM MAJ	H-908
LAWRENCE	ONTP MIN	

LD 2480 proposed to allow a police department to respond to a request for assistance from another police department when there is no liability agreement if the assistance is for a major unplanned incident, in which case liability remains with the responding department except for command or operational decisions made by the requesting department. Current law allows one police department to assist another police department only if their respective municipalities have preexisting agreements concerning liability.

Committee Amendment "A" (H-908), proposed to clarify the meaning of a "major unplanned incident."

Enacted law summary

Public Law 1999, chapter 654, except where expressly prohibited by municipal ordinance or policy, allows a police department to respond to a request for assistance from another police department when there is no preexisting liability agreement among the departments if the assistance is for a major unplanned incident. The law specifies that when the response is for a major unplanned incident, the liability remains with the responding department except for command or operational decisions made by the requesting department. Public Law 1999, chapter 654 also defines a "major unplanned incident" for the purposes of the chapter.

LD 2507

An Act to Establish a Commemorative Day Recognizing Major-General Henry Knox

**PUBLIC 666
EMERGENCY**

<u>Sponsor(s)</u>	<u>Committee Report</u>	<u>Amendments Adopted</u>
SKOGLUND	ONTP MAJ	
PINGREE	OTP MIN	

LD 2507 proposed to establish a commemorative day recognizing Major-General Henry Knox of Thomaston, who was a Revolutionary War general and hero and Secretary of War under President George Washington.

Enacted law summary

Public Law 1999, chapter 666 establishes July 25th of each year as a commemorative day recognizing Major-General Henry Knox of Thomaston, who was a Revolutionary War general and hero and Secretary of War under President George Washington.

Public Law 1999, chapter 666 was enacted as an emergency measure effective April 11, 2000.

LD 2522

An Act to Establish a Memorial Dedicated to the Civilian Conservation Corps

PUBLIC 747

<u>Sponsor(s)</u>	<u>Committee Report</u>	<u>Amendments Adopted</u>
	OTP-AM	H-940 S-767 MICHAUD

LD 2522 proposed to establish a memorial dedicated to the Civilian Conservation Corps. It proposed that the responsibility to establish and maintain the memorial near the entrance to the Cultural Building that houses the Maine State Library, the Maine State Museum and the Maine State Archives in the State House complex be placed with the Capitol Planning Commission. The bill proposed that funding for the memorial be raised from both the public and private sectors. It also proposed that educational and historical information regarding the Civilian Conservation Corps in Maine be maintained at the Maine State Museum.

Committee Amendment "A" (H-940), proposed to replace the appropriation section in the original bill and to add an allocation section to authorize the expenditure of any private funding received by the Capitol Planning.

Senate Amendment "A" to Committee Amendment "A" (S-767), proposed to clarify that the State funds provided for a portion of the costs of establishing a Civilian Conservation Corps memorial were to be one-time funds.

Enacted law summary

Public Law 1999, chapter 747 establishes a memorial dedicated to the Civilian Conservation Corps. The law places responsibility with the Capitol Planning Commission to establish and maintain the memorial near the entrance to the Cultural Building that houses the Maine State Library, the Maine State Museum and the Maine State Archives in the State House complex. Chapter 747 requires that funding for the memorial come from both the State and private sources and clarifies that the \$10,000 provided by the State for the project represents a "one-time" appropriation. The law authorizes the Capitol Planning Commission to expend any private funds received for the project. It also requires that educational and historical information regarding the Civilian Conservation Corps in Maine be maintained at the Maine State Museum.

LD 2569

Resolve, to Authorize the Waldo County Commissioners to Borrow not more than \$600,000 to Build a Waldo County Communications and 9-1-1 Center

**RESOLVE 98
EMERGENCY**

<u>Sponsor(s)</u>	<u>Committee Report</u>	<u>Amendments Adopted</u>
LINDAHL LONGLEY	OTP-AM	H-909

LD 2569 proposed to authorize the Waldo County commissioners to borrow up to \$400,000 for the construction of a communications and 9-1-1 center in Waldo County.

Committee Amendment "A" (H-909), proposed to change the title of the resolve, to increase the amount that could be borrowed from \$400,000 to \$600,000 and to require the Waldo County commissioners to hold a county-wide referendum to obtain voter authorization to borrow the funds necessary to build the county communications and 9-1-1 center.

Enacted law summary

Resolve 1999, chapter 98 authorizes the Waldo County commissioners to hold a county-wide referendum to obtain voter approval of a proposal to borrow up to \$600,000 to construct a county communications and 9-1-1 center.

Resolve 1999, chapter 98 was finally passed as an emergency measure effective April 3, 2000.

LD 2655

An Act to Amend and Clarify the Powers and Duties of the Lake Arrowhead Community, Incorporated

P & S 81

<u>Sponsor(s)</u>	<u>Committee Report</u>	<u>Amendments Adopted</u>
LIBBY MCALEVEY	OTP MAJ ONTP MIN	H-1090 AHEARNE

LD 2655 proposed to amend the charter of the Lake Arrowhead Community, Incorporated, to forbid the community from charging the towns of Limerick and Waterboro membership fees and assessments for property owned by the municipalities.

House Amendment "A" (H-1090) proposed to remove the emergency preamble and emergency clause from the bill.

Senate Amendment "B" (S-699), which was not adopted, proposed to replace the language in the bill to clarify that the charter of the Lake Arrowhead Community, Incorporated does not authorize the corporation to charge a fee or assessment to a municipality other than that explicitly authorized by any other law or ordinance.

Enacted law summary

Private and Special Law 1999, chapter 81 amends the charter of the Lake Arrowhead Community, Incorporated, by forbidding the community from charging the Town of Limerick and the Town of Waterboro membership fees and assessments for property owned by the municipalities.

LD 2676

An Act to Repeal Certain Inactive Boards and Commissions and to Amend Certain Laws Governing Boards and Commissions

PUBLIC 668

Sponsor(s)

Committee Report

Amendments Adopted

H-1091 AHEARNE

LD 2676, which was reported by the Joint Standing Committee on State and Local Government pursuant to Joint Order H.P. 1850, proposed to repeal a number of inactive boards and commissions. Board or commissions proposed to be repealed were:

1. Advisory Board to Privatize the Maine Health Program;
2. Advisory Council on Energy Efficiency Building Performance Standards;
3. Board of Trustees, Sludge and Residuals Utilization Research Foundation;
4. Children's Residential Treatment Committee;
5. Commission on Biotechnology and Genetic Engineering;
6. Commission on Nursing Supply and Educational Accessibility;
7. Commodity Marketing Committee;
8. Early Retirement Incentives Review Panel;
9. Interdepartmental Coordinating Council for Early Intervention;
10. Interdepartmental Council;
11. Jail Industry Authority Board of Directors;
12. Maine Advisory Committee on Children with Special Needs;
13. Maine Family Support Council;
14. Maine Highway Safety Commission;
15. Maine Marketing Advisory Board;

16. Maine Potato Marketing Committee;
17. Maine Quality Management Council;
18. Marine Research Board;
19. Medical Specialty Advisory Committee on Anesthesiology;
20. Medical Specialty Advisory Committee on Emergency Medicine;
21. Medical Specialty Advisory Committee on Obstetrics and Gynecology;
22. Medical Specialty Advisory Committee on Radiology;
23. Mental Health Rights Advisory Board;
24. Municipal Capital Investment Advisory Commission;
25. New England Interstate Planning Commission, effective August 1, 2003;
26. Policy Review Board;
27. Region III Crisis Intervention Program Advisory Board;
28. Regional Family Support Councils; and
29. Residential Treatment Center Advisory Group.

LD 2676 also proposed to strike several statutory cross-references to the repealed boards and commissions. It also proposed to make changes to the reporting date for boards or commissions to file annual reports with the Secretary of State and it proposed to repeal an outdated sunset provision of the Maine Revised Statutes, Title 5, chapter 379. LD 2676 also proposed to make minor changes to the auditing requirements for the Lobster Promotion Council and to the appointing requirements for the Board of Trustees, Mining Excise Tax Trust Fund.

House Amendment "A" (H-1091), proposed to make a technical correction to the original bill by repealing only the Municipal Capital Investment Advisory Commission. It also proposed to retain the statutory language for the Municipal Infrastructure Investment Trust Fund.

Enacted law summary

Public Law 1999, chapter 668 repeals a number of inactive boards and commissions. Those repealed boards and commissions are:

1. Advisory Board to Privatize the Maine Health Program;
2. Advisory Council on Energy Efficiency Building Performance Standards;
3. Board of Trustees, Sludge and Residuals Utilization Research Foundation;

4. Children's Residential Treatment Committee;
5. Commission on Biotechnology and Genetic Engineering;
6. Commission on Nursing Supply and Educational Accessibility;
7. Commodity Marketing Committee;
8. Early Retirement Incentives Review Panel;
9. Interdepartmental Coordinating Council for Early Intervention;
10. Interdepartmental Council;
11. Jail Industry Authority Board of Directors;
12. Maine Advisory Committee on Children with Special Needs;
13. Maine Family Support Council;
14. Maine Highway Safety Commission;
15. Maine Marketing Advisory Board;
16. Maine Potato Marketing Committee;
17. Maine Quality Management Council;
18. Marine Research Board;
19. Medical Specialty Advisory Committee on Anesthesiology;
20. Medical Specialty Advisory Committee on Emergency Medicine;
21. Medical Specialty Advisory Committee on Obstetrics and Gynecology;
22. Medical Specialty Advisory Committee on Radiology;
23. Mental Health Rights Advisory Board;
24. Municipal Capital Investment Advisory Commission;
25. New England Interstate Planning Commission, effective August 1, 2003;
26. Policy Review Board;
27. Region III Crisis Intervention Program Advisory Board;

28. Regional Family Support Councils; and

29. Residential Treatment Center Advisory Group.

The law also strikes several statutory cross-references to the repealed boards and commissions. It also makes changes to the reporting date for boards or commissions to file annual reports with the Secretary of State and it repeals an outdated sunset provision of the Maine Revised Statutes, Title 5, chapter 379. Public Law 1999, chapter 668 also makes minor changes to the auditing requirements for the Lobster Promotion Council and to the appointing requirements for the Board of Trustees, Mining Excise Tax Trust Fund.

LD 2677

An Act to Revise the Salaries of Certain Kennebec County Officers

**PUBLIC 662
EMERGENCY**

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

LD 2677 was reported by the Joint Standing Committee on State and Local Government, pursuant to Joint Order H.P. 1822. LD 2677 proposed to increase the salaries of certain county officers in Kennebec County and would apply retroactively to January 1, 2000.

Enacted law summary

Public Law 1999, chapter 662 increases the salaries of certain county officers in Kennebec County. It applies retroactively to January 1, 2000.

Public Law 1999, chapter 662 was enacted as an emergency measure effective April 10, 2000.

LD 2678

Resolve, for Laying of the County Taxes and Authorizing Expenditures of Kennebec County for the Year 2000

**RESOLVE 109
EMERGENCY**

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

LD 2678 was reported by the Joint Standing Committee on State and Local Government pursuant to Joint Order H.P. 1822. This resolve proposed to authorize the laying of the county taxes and to authorize expenditures of Kennebec County for the year 2000.

Enacted law summary

Resolve 1999, chapter 109 authorizes the laying of the county taxes and authorizes expenditures of Kennebec County for the year 2000.

Resolve 1999, chapter 109 was finally passed as an emergency measure effective April 10, 2000.

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