

# MAINE STATE LEGISLATURE

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*State Of Maine  
121st Legislature*

*Second Regular Session and  
Second Special Session*

*Bill Summaries*

*Joint Standing Committee  
on  
Appropriations and Financial Affairs*

*May 2004*

**Members:**

*Sen. Mary R. Cathcart, Chair  
Sen. Margaret R. Rotundo  
Sen. Karl W. Turner*

*Rep. Joseph C. Brannigan, Chair  
Rep. Richard H. Mailhot  
Rep. Scott W. Cowger  
Rep. Benjamin F. Dudley  
Rep. Sean Faircloth  
Rep. Hannah Pingree  
Rep. Richard W. Rosen  
Rep. S. Peter Mills  
Rep. H. Sawin Millett, Jr.  
Rep. Julie Ann O'Brien*

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*Maine State Legislature*



*Office Of Policy And Legal Analysis  
Office Of Fiscal And Program Review*

*121st Maine Legislature  
Second Regular Session and  
Second Special 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 and joint 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 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](http://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..... 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 April 30, 2004; and non-emergency legislation enacted in the Second Special Session is July 30, 2004. Four bills (LD's 1572, 1629, 1636 and 1637) that were considered at the First Special Session in August 2003 are also included in these summaries.

*David C. Elliott, Director*  
**Offices located in Room 215 of the Cross Office Building**

**JOINT STANDING COMMITTEE ON  
APPROPRIATIONS AND FINANCIAL AFFAIRS**

***Enacted Law Summary:***

Public Law 2003, chapter 701 provides funding for the Office of the Maine-Canada Trade Ombudsman, an office created in Public Law 2001, chapter 643. The duties of the ombudsman are to act as the Maine representative for relations with Canada to ensure the coordination of state policy when dealing with Canada and to work with businesses and individuals to investigate and work toward resolution of complaints that arise concerning trade issues. Funding was originally provided in chapter 643, but was deappropriated in Public Law 2001, chapter 714, Part B.

**LD 677**                      **An Act To Authorize a General Fund Bond Issue in the Amount of \$6,000,000 To Enable LifeFlight of Maine to Fully Implement a Statewide, Dedicated Air-medical Response System**                      **ONTP**

<u>Sponsor(s)</u> DAGGETT MAILHOT	<u>Committee Report</u> ONTP	<u>Amendments Adopted</u>
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LD 677 was carried over from the First Regular Session and proposed to authorize a General Fund bond issue in the amount of \$6,000,000, to be used by LifeFlight of Maine to develop the expansion of Maine's existing dedicated air-medical response system through constructing additional hospital helipads, building additional refueling facilities, acquiring training equipment and purchasing helicopters and to meet other costs in order to ensure greater and more rapid access to health care for severely ill or injured persons especially from rural hospitals and communities.

**LD 716**                      **An Act To Continue Necessary State Funding of Freestanding, Nonprofit Psychiatric Hospitals for Services Provided to Indigent Patients and for Other Purposes**                      **ONTP**

<u>Sponsor(s)</u> MARTIN	<u>Committee Report</u> ONTP	<u>Amendments Adopted</u>
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LD 716 was carried over from the First Regular Session and proposed to provide necessary funding to reimburse the State's two freestanding, nonprofit psychiatric hospitals for services provided to indigent patients when these expenses can not be reimbursed by the Medicaid or Medicaid Disproportionate Share programs. The bill also proposed to provide funds to meet shortfalls projected at Augusta Mental Health Institute and Bangor Mental Health Institute. Of the \$18,000,000 sought for fiscal year 2003-04, \$10,000,000 was projected to be needed for the two freestanding, nonprofit psychiatric hospitals and \$8,000,000 was needed for AMHI and BMHI. The figures were based on preliminary estimates of the Department of Human Services.

The bill also proposed to require the Commissioner of Human Services and the Commissioner of Behavioral and Developmental Services to continue to work with these hospitals to advocate for the elimination of the federal cap on disproportionate share funds that are available for institutes for mental

**JOINT STANDING COMMITTEE ON  
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disease, or for other federal reforms that would ensure adequate federal funding for the population served by these hospitals. Similar provisions for prior fiscal years were enacted in Public Law 2001, chapter 559, Part X, sections 9 and 10.

**LD 791**                      **An Act To Fully Fund Retirement Benefits for Game Wardens  
and Marine Patrol Officers**                      **ONTP**

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

LD 791 was carried over from the First Regular Session and proposed to appropriate funds needed to fully fund the liability for the increased value of services rendered by game wardens and marine patrol officers between August 31, 1984 and September 1, 2002. In 2001, a special retirement plan was created for game wardens and marine patrol officers, but the liability to the retirement system created by the increased value under the plan for service rendered prior to September 1, 2002 was not funded. The dollar amount provided in the bill was an estimate based on the amount that would have been required if the full payment had been made on July 1, 2002. The amount would need to be updated with an actuarially determined amount in order to fully fund the liability so that the increased benefits would become payable to game wardens and marine patrol officers.

**LD 908**                      **An Act To Authorize a General Fund Bond Issue in the Amount  
of \$1,000,000 To Provide Funds to Riverfront Municipalities To  
Develop Riverfront Cultural Heritage Centers**                      **ONTP**

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

LD 908 was carried over from the First Regular Session and proposed to authorize a General Fund bond issue in the amount of \$1,000,000 to be used to provide funds to riverfront municipalities that were suffering hardships due to loss of jobs to develop riverfront cultural heritage centers.