

# MAINE STATE LEGISLATURE

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*State Of Maine  
121st Legislature*

*First Regular Session*

*Bill Summaries*

*Joint Standing Committee  
on  
State and Local Government*

*July 2003*

**Members:**

*Sen. Margaret Rotundo, Chair*

*Sen. Lloyd P. LaFountain III*

*Sen. Carolyn M. Gilman*

*Rep. Janet L. McLaughlin, Chair*

*Rep. George H. Bunker, Jr.*

*Rep. Christopher R. Barstow*

*Rep. Susanne P. Ketterer*

*Rep. Edward J. Suslovic*

*Rep. Anita Peavey-Haskell*

*Rep. Robert H. Crosthwaite*

*Rep. Stephen Bowen*

*Rep. Oscar C. Stone*

*Rep. Gary E. Sukeforth*

**Staff:**

*Lisa M. Baldwin, Legislative Analyst*

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*13 State House Station*

*Augusta, ME 04333*

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# Maine State Legislature



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

### 121st Maine Legislature First 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 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](http://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:

<i>CARRIED OVER PURSUANT TO HP 1212</i> .....	<i>Bills carried over to the 2<sup>nd</sup> Regular Session</i>
<i>CON RES XXX</i> .....	<i>Chapter # of Constitutional Resolution passed by both Houses</i>
<i>CONF CMTE UNABLE TO AGREE</i> .....	<i>Committee of Conference unable to agree; bill died</i>
<i>DIED BETWEEN BODIES</i> .....	<i>House &amp; Senate disagree; bill died</i>
<i>DIED IN CONCURRENCE</i> .....	<i>One body accepts ONTP report; the other indefinitely postpones the bill</i>
<i>DIED ON ADJOURNMENT</i> .....	<i>Action incomplete when session ended; bill died</i>
<i>EMERGENCY</i> .....	<i>Enacted law takes effect sooner than 90 days</i>
<i>FAILED EMERGENCY ENACTMENT/FINAL PASSAGE</i> .....	<i>Emergency bill failed to get 2/3 vote</i>
<i>FAILED ENACTMENT/FINAL PASSAGE</i> .....	<i>Bill failed to get majority vote</i>
<i>FAILED MANDATE ENACTMENT</i> .....	<i>Bill imposing local mandate failed to get 2/3 vote</i>
<i>NOT PROPERLY BEFORE THE BODY</i> .....	<i>Ruled out of order by the presiding officers; bill died</i>
<i>INDEF PP</i> .....	<i>Bill Indefinitely Postponed</i>
<i>ONTP</i> .....	<i>Ought Not To Pass report accepted</i>
<i>OTP-ND</i> .....	<i>Committee report Ought To Pass In New Draft</i>
<i>P&amp;S XXX</i> .....	<i>Chapter # of enacted Private &amp; Special Law</i>
<i>PASSED</i> .....	<i>Joint Order passed in both bodies</i>
<i>PUBLIC XXX</i> .....	<i>Chapter # of enacted Public Law</i>
<i>RESOLVE XXX</i> .....	<i>Chapter # of finally passed Resolve</i>
<i>UNSIGNED</i> .....	<i>Bill held by Governor</i>
<i>VETO SUSTAINED</i> .....	<i>Legislature failed to override Governor's Veto</i>

Please note that the effective date for all non-emergency legislation enacted in the First Regular Session (unless otherwise specified in a particular law) is September 13, 2003.

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

## Joint Standing Committee on State and Local Government

### Enacted Law Summary

Resolve 2003, chapter 90 authorizes the Commissioner of Administrative and Financial Services to sell up to 15 acres of unimproved land at the Long Creek Youth Development Center in South Portland for affordable or workforce housing.

**LD 1528**

**An Act To Permit Electronic Notification of Rulemaking for Interested Parties**

**PUBLIC 207  
EMERGENCY**

Sponsor(s)  
MCLAUGHLIN  
ROTUNDO

Committee Report  
OTP

Amendments Adopted

LD 1528 proposed to permit required rule-making notice to be given to recipients via electronic mail, so long as those recipients have agreed in advance that such a manner of notice is acceptable. Under the bill, it would be permissible to distribute copies of proposed rules in the same manner by agencies. As a result, the bill would provide agencies with another medium by which to distribute rule-making information and conserves paper resources.

Under current law, the written notice required in the agency rule-making process must be made by delivery or mail to statutorily specified recipients.

### Enacted Law Summary

Public Law 2003, chapter 207 permits required notice to be given to recipients via electronic mail, provided that those recipients have agreed in advance that such a manner of notice is acceptable. It also permits copies of proposed rules to be distributed in the same manner by agencies. As a result, agencies are provided with another medium by which to distribute rule-making information that also conserves paper resources. Prior to passage of this law, the written notice required in the agency rule-making process was required to be made by delivery or mail to statutorily specified recipients.

Public Law 2003, chapter 207 was enacted as an emergency measure effective May 16, 2003.

**LD 1541**

**Resolve, Conveying The State's Interest in a Parcel of Property Located in Orrington**

**RESOLVE 59**

Sponsor(s)  
ROSEN

Committee Report  
OTP-AM

Amendments Adopted  
H-431

LD 1541 proposed to authorize the conveyance of certain property on the Johnson Mill Road in Orrington by the Director of the Bureau of Parks and Lands within the Department of Conservation to Mrs. Lillian King.

**Committee Amendment "A" (H-431)** proposed to incorporate a fiscal note.

*Joint Standing Committee on State and Local Government*

**Enacted Law Summary**

Resolve 2003, chapter 59 authorizes the conveyance of certain property on the Johnson Mill Road in Orrington by the Director of the Bureau of Parks and Lands within the Department of Conservation to Mrs. Lillian King.

**LD 1550**                      **Resolve, Authorizing the Transfer of Land from the State to Maine School Administrative District No. 16**                      **RESOLVE 51**

<u>Sponsor(s)</u> COWGER TREAT		<u>Committee Report</u> OTP-AM		<u>Amendments Adopted</u> H-388
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LD 1550 proposed to authorize the transfer of state-owned property, commonly known as "community gardens," located on Winthrop Street in Hallowell, to Maine School Administrative District No. 16.

**Committee Amendment "A" (H-388)** proposed to require that if the State transfers the property known as the "community gardens" located in Hallowell to Maine School Administrative District No. 16, it must sell or lease that property. The amendment proposed to allow the State to transfer all or part of that property to School Administrative District No. 16. The amendment also proposed to authorize the State to enter into a 3-year option agreement with the board of directors of Maine School Administrative District No. 16 to sell or lease that property.

**Enacted Law Summary**

Resolve 2003, chapter 51 authorizes the transfer of state-owned property, commonly known as "community gardens," located on Winthrop Street in Hallowell, to Maine School Administrative District No. 16. It requires that if the State transfers the property known as the "community gardens" located in Hallowell to Maine School Administrative District No. 16, it must sell or lease that property at fair market value. The State is permitted to transfer all or part of that property to School Administrative District No. 16. It also authorizes the State to enter into a 3-year option agreement with the board of directors of Maine School Administrative District No. 16 to sell or lease that property.

**LD 1555**                      **An Act To Reapportion the House Legislative Districts**                      **PUBLIC 44**

<u>Sponsor(s)</u> DUNLAP		<u>Committee Report</u>		<u>Amendments Adopted</u>
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LD 1555 proposed to repeal the current statutory Maine House of Representatives districts and enact the districts for the Maine House of Representatives as described in the unanimous report submitted by the apportionment commission to the Clerk of the House.