

MAINE STATE LEGISLATURE

The following document is provided by the
LAW AND LEGISLATIVE DIGITAL LIBRARY
at the Maine State Law and Legislative Reference Library
<http://legislature.maine.gov/lawlib>



Reproduced from electronic originals
(may include minor formatting differences from printed original)

*State Of Maine
122nd Legislature*

*First Regular Session and
First Special Session*

Bill Summaries

*Joint Standing Committee
on
State and Local Government*

August 2005

Members:

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

*Rep. Christopher R. Barstow, Chair
Rep. Sonya G. Sampson
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*

Staff:

Anna Broome, Legislative Analyst

*Office of Policy and Legal Analysis
13 State House Station
Augusta, ME 04333
(207) 287-1670*



Maine State Legislature

OFFICE OF POLICY & LEGAL ANALYSIS

13 State House Station, Room 215 Cross State Office Building
Augusta, Maine 04333-0013
Telephone: (207) 287-1670
Fax: (207) 287-1275

122nd Legislature
First Regular Session and First Special Session

Summary of Legislation Considered by the Joint Standing Committees
August 2005

Enclosed please find a summary of all bills, resolves, joint study orders, joint resolutions and Constitutional resolutions that were considered by the joint standing 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 organized by committees 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. A subject index for each committee is included immediately before the bill summaries for that committee, and a numerical index by LD number is included 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).

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:

- CARRIED OVER Bill Carried Over to Second Regular Session
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
OTP ND/NT..... Committee report Ought To Pass In New Draft/New Title
P&S XXX..... Chapter # of enacted Private & Special Law
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 the effective date for all non-emergency legislation enacted in the First Regular Session (unless otherwise specified in a particular law) is June 29, 2005; and for non-emergency legislation enacted in the First Special Session is September 17, 2005.

Joint Standing Committee on State and Local Government

LD 361

An Act To Reestablish the Penobscot County Budget Committee

**PUBLIC 124
EMERGENCY**

<u>Sponsor(s)</u>	<u>Committee Report</u>	<u>Amendments Adopted</u>
BLANCHARD PERRY J	OTP-AM	H-126 H-280 BARSTOW

LD 361 proposed to reestablish the Penobscot County Budget Committee.

Committee Amendment "A" (H-126) proposed to amend the bill by adding a mandate preamble, an emergency preamble and an emergency clause.

House Amendment "A" (H-280) proposed to clarify that the 2 budget committee members elected from each county commissioner district serve staggered terms.

Enacted law summary

Public Law 2005, chapter 124 reestablishes the Penobscot County Budget Committee.

Public Law 2005, chapter 124 was enacted as an emergency measure effective May 18, 2005.

LD 377

**RESOLUTION, Proposing an Amendment to the Constitution of
Maine To Establish Health Care as a Right**

ONTP

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

LD 377 proposed to amend the Constitution of Maine to establish health care as a right.

Committee Amendment "A" (H-150) proposed to add to the constitutional amendment the requirement that the Legislature determine what the access to the right to health care should be.

LD 379

An Act To Raise the Marriage Fees

PUBLIC 86

<u>Sponsor(s)</u>	<u>Committee Report</u>	<u>Amendments Adopted</u>
O'BRIEN	OTP	

LD 379 proposed to increase the fee for recording marriage intentions and issuing a marriage license from \$20 to \$30.

Joint Standing Committee on State and Local Government

Enacted law summary

Public Law 2005, chapter 86 increases the fee for recording marriage intentions and issuing a marriage license from \$20 to \$30.

LD 428 **An Act To Require a Nonpartisan Legislature** **ONTP**

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

LD 428 is a concept draft pursuant to Joint Rule 208 that proposed to establish a nonpartisan legislature by prohibiting a candidate for the Legislature from running as a member of a political party or having a party affiliation listed on the ballot. Primaries would still be held and the 2 candidates with the highest vote totals from each Senate or House district would run against each other in the general election. The prohibition would be phased in over an 8-year period by applying it to candidates for the 123rd through 126th Legislatures who are not members of the 122nd Legislature.

Committee Amendment "A" (H-194), which is the minority report, proposed to replace the concept draft with a resolve establishing the Commission for a Nonpartisan Legislature to conduct a study on the impact of a nonpartisan Legislature.

LD 440 **RESOLUTION, To Amend the Constitution of Maine To Change the Number of Senators to 2 from Each County** **DIED BETWEEN HOUSES**

<u>Sponsor(s)</u>	<u>Committee Report</u>	<u>Amendments Adopted</u>
JOY DAVIS P	ONTP MAJ OTP-AM MIN	

LD 440 proposed to amend the Constitution to reduce the size of the Senate from no more than 35 members to 32 members and redraw the district lines so that each county is represented by 2 Senators. The redrawing of district lines would occur during the regularly scheduled redistricting following the decennial census. The redistricting will be done in 2009.

Committee Amendment "A" (H-151), which is the minority report, proposed to incorporate a fiscal note.

LD 455 **An Act To Create a Paperless Legislature and Encourage More Working-income Legislators by Allocating Savings Resulting from a Reduction in the Size of the Legislature** **ONTP**

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