

# MAINE STATE LEGISLATURE

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*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  
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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 455, a companion bill to a Constitutional Resolution reducing the size of the Maine Legislature, proposed to establish the manner in which the Legislature intends to apportion the savings that would result from a reduction in the size of the Legislature. One-third of the savings would be used to increase the pay of Legislators, one-third would be used for high speed access and internal networking at the desks of Legislators, and one-third would be deposited into the General Fund.

**LD 461**                      **RESOLUTION, Proposing an Amendment to the Constitution of**                      **ONTP**  
**Maine To Reduce the Size of the Legislature**

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

LD 461 proposed a constitutional amendment to reduce the size of the House of Representatives from 151 members to 99 members and the size of the Senate from no more than 35 members to 33 members. The redistricting will be done in 2006 during the Second Regular Session of the 122nd Legislature and the reduction in the size of each legislative body take effect in 2007. The savings from the reduction in the size of the Legislature is appropriated in a companion bill.

**Committee Amendment "A" (H-350)**, which is the minority report, proposed to incorporate a fiscal note.

**LD 471**                      **Resolve, To Ensure the Collection and Report of Outsourcing Data**                      **RESOLVE 16**  
**EMERGENCY**

<u>Sponsor(s)</u>	<u>Committee Report</u>	<u>Amendments Adopted</u>
CRESSEY EDMONDS	OTP-AM	H-133

LD 471 proposed to prohibit any Maine Government department, agency or bureau from conducting business with any entity that outsources its services outside the United States. This would include all contracts and procurements by the State.

**Committee Amendment "A" (H-133)** proposed to replace the bill with a resolve directing the Department of Administrative and Financial Services, Division of Purchases to collect information from all contracted providers of services to the State regarding the country where the services will be performed and to notify the department of any changes to this information. The amendment proposed to require the Division of Purchases to report this information to the Joint Standing Committee on State and Local Government by January 15, 2006.

### *Enacted law summary*

Resolve 2005, chapter 16 directs the Department of Administrative and Financial Services, Division of Purchases to collect information from all contracted providers of services to the State regarding the country where the services will be performed and to notify the department of any changes to this information. It requires the Division of Purchases to report this information to the Joint Standing Committee on State and Local Government by January 15, 2006.

## Joint Standing Committee on State and Local Government

Resolve 2005, chapter 16 was finally passed as an emergency measure effective May 12, 2005.

**LD 473**

**An Act To Increase Vital Records Fees**

**PUBLIC 112**

<u>Sponsor(s)</u>	<u>Committee Report</u>	<u>Amendments Adopted</u>
LEWIN ANDREWS	OTP	

LD 473 proposed to increase the fee paid to a municipality for providing a copy of a birth, marriage or death certificate from \$7 to \$10 for the first copy and from \$3 to \$5 for each additional copy. The bill also proposed to increase the burial permit fee from \$4 to \$5. The fees currently paid to the State for providing a copy of a birth, marriage or death certificate is \$15 for the first copy and \$6 for each additional copy.

**Senate Amendment "A" (S-75)** proposed to exclude copies of death certificates from the increase of the fee paid to a municipality for providing a copy of certain certificates. This amendment was not adopted.

### *Enacted law summary*

Public Law 2005, chapter 112 increases the fee paid to a municipality for providing a copy of a birth, marriage or death certificate from \$7 to \$10 for the first copy and from \$3 to \$5 for each additional copy. It also increases the burial permit fee from \$4 to \$5. The fees currently paid to the State for providing a copy of a birth, marriage or death certificate is \$15 for the first copy and \$6 for each additional copy.

**LD 474**

**An Act To Clarify the Authority of a County To Fund Its County Communications Center through the County Tax or Fee-for-service Agreements**

**ONTP**

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

LD 474 proposed to clarify that a county communications center may be funded through the county tax if the center is available for use by any municipality in the county that chooses to use it, even if one or more municipalities in the county elect not to use the center. It would also allow the county commissioners to enter into an agreement with a municipality, whether or not located in the county, to provide that municipality with any of the communications services offered by the county's communications center in return for payment for these services.