

# 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  
Appropriations and Financial Affairs*

*August 2005*

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Maine State Legislature

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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 Appropriations and Financial Affairs*

The bill proposed to require the Homeland Security Relief Fund to be the first resource used when the Maine Revised Statutes, Title 37-B, section 742, regarding emergency proclamation, or Title 37-B, section 744, regarding disaster relief, is invoked by the Governor.

**Committee Amendment “A” (S-140)** proposed to reduce the appropriation from \$3,000,000 to \$1,000,000.

**Senate Amendment “A” To Committee Amendment “A” (S-397)** proposed to change the name of the fund from "Homeland Security Relief Fund" to "Disaster Relief Fund" to more accurately reflect the purpose of the fund. This amendment also proposed to remove the provision requiring that funds be transferred from the General Fund to the Disaster Relief Fund at the close of each fiscal year and remove the appropriation.

### *Enacted law summary*

Public Law 2005, chapter 439 established the Disaster Relief Fund to be administered by the Department of Defense, Veterans and Emergency Management, Maine Emergency Management Agency. This fund must be the first resource used when either §742 (emergency proclamation) or §744 (disaster relief) of 37-B Maine Revised Statutes Annotated is invoked.

**LD 1216**                      **An Act To Strengthen Community Health Centers and Indian Health Centers**                      **ONTP**

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

LD 1216 proposed to provide funding to reimburse 28 community and Indian health centers for uncollectible, outstanding patient accounts receivable. It also proposed to provide for grants to those centers totaling up to 10% of the balance remaining in the account of the Dirigo Health Fund on June 30th of each year.

**LD 1234**                      **An Act To Reestablish the Maine Coast Environmental Trust Fund within the Department of Marine Resources**                      **CARRIED OVER**

<u>Sponsor(s)</u>	<u>Committee Report</u>	<u>Amendments Adopted</u>
KAELIN	OTP-AM	H-218
WESTON		

LD 1234 proposed to reestablish the Maine Coast Environmental Trust Fund in the Department of Marine Resources. The purpose of the trust fund is to protect and improve the quality of the State's marine environment by providing grants to qualifying organizations. This bill proposed to require the department to develop a competitive grant program, including qualifications and application procedures, and report back to the Second Regular Session of the 122nd Legislature with the department's recommendations.

The bill also proposed to appropriate start-up funds to the trust fund and funds to be used to restore the clam flats in Stockton Harbor.

## *Joint Standing Committee on Appropriations and Financial Affairs*

Committee Amendment “A” (H-218) proposed the following.

1. To clarify that the Maine Coast Environmental Trust Fund is an Other Special Revenue Funds account within the Department of Marine Resources.
2. To specifically allow the fund to accept appropriations and transfers authorized by the Legislature.
3. To replace a direct General Fund appropriation to the fund with a transfer of unappropriated General Fund surplus to the account and provides necessary Other Special Revenue Funds allocations for the account.
4. To specify how much of the allocation is to be spent on the restoration of the clam flats in Stockton Harbor with the remainder to be used to reestablish a competitive grants program.

This bill, and its adopted amendment, were carried over on the Special Appropriations Table by S. P. 640 to the next special or regular session of the 122<sup>nd</sup> Legislature.

### **LD 1272                      An Act To Ensure Compliance with the Federal Americans with Disabilities Act for Court Facilities                      CARRIED OVER**

<u>Sponsor(s)</u> PELLETIER-SIMPS		<u>Committee Report</u> OTP-AM		<u>Amendments Adopted</u> H-195
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LD 1272 proposed to authorize the Maine Government Facilities Authority to issue securities up to \$3,000,000 to renovate or retrofit court facilities to comply with the federal Americans with Disabilities Act.

**Committee Amendment “A” (H-195)** proposed to change the amount of the securities the Maine Governmental Facilities Authority is authorized to issue from \$3,000,000 to \$1,000,000 to renovate or retrofit court facilities to comply with the federal Americans with Disabilities Act.

This bill, and its adopted amendment, were carried over on the Special Appropriations Table by S. P. 640 to the next special or regular session of the 122<sup>nd</sup> Legislature.

### **LD 1278                      An Act Requiring Long-range Budget Planning                      CARRIED OVER**

<u>Sponsor(s)</u> WOODBURY MARTIN		<u>Committee Report</u>		<u>Amendments Adopted</u>
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LD 1278, which was carried over from the First Special Session, proposed to extend the forecast to encompass the 6 years following the current biennium and require the Governor to use the forecast to develop a long-range budget plan for the following 3 biennia. The plan would be submitted by the Governor to the Legislature along with the regular biennial budget.