

# 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  
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*

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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 State and Local Government*

**LD 1243**                      **An Act To Make Election Day a State Holiday**                      **ONTP**

<u>Sponsor(s)</u> EDER		<u>Committee Report</u> ONTP		<u>Amendments Adopted</u>
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LD 1243 proposed to establish Election Day, the Tuesday following the first Monday in November, as a state holiday and require that public schools and nonessential state offices be closed.

**LD 1246**                      **An Act To Amend the Laws Governing the State Planning Office**                      **ONTP**

<u>Sponsor(s)</u> HUTTON BARTLETT		<u>Committee Report</u> ONTP      MAJ OTP-AM    MIN		<u>Amendments Adopted</u>
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LD 1246 proposed to establish within the Executive Department, State Planning Office the Board of Code Enforcement Review. It would also fund a Planner II position within the State Planning Office.

**Committee Amendment "A" (H-438)**, which is the minority report, proposed to incorporate a fiscal note.

**LD 1252**                      **An Act To Lower the Cost of and Streamline the Legislative Process**                      **INDEFINITELY POSTPONED**

<u>Sponsor(s)</u> NUTTING J SAVIELLO		<u>Committee Report</u>		<u>Amendments Adopted</u>
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LD 1252 proposed to require a minimum of 3 affirmative votes from members of the Legislative Council before a piece of legislation may be introduced in any first regular session by a Legislator or state or independent agency. This bill was indefinitely postponed on the floor without reference to Committee.

**LD 1262**                      **Resolve, To Establish the Commission To Study the Licensing Conflicts between the Department of Agriculture, Food and Rural Resources and the Department of Health and Human Services**                      **INDEF PP**

<u>Sponsor(s)</u> COWGER MARLEY		<u>Committee Report</u> OTP-AM		<u>Amendments Adopted</u>
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LD 1262 proposed to establish the Commission to Study the Licensing Conflicts between the Department of Agriculture, Food and Rural Resources and the Department of Health and Human Services.

*Joint Standing Committee on State and Local Government*

**Committee Amendment "A" (S-175)** replaced the resolve and proposed to direct the Commissioner of Agriculture, Food and Rural Resources and the Commissioner of Health and Human Services to develop a task force to study licensing conflicts between their 2 departments. The amendment would set a deadline of January 15, 2006 for the task force to report its findings and recommendations and gives the Joint Standing Committee on State and Local Government the authority to report out legislation based on those findings in the Second Regular Session of the 122nd Legislature. The costs of the study are to be absorbed by the 2 departments involved.

**LD 1315                      An Act To Permit Recording Proceedings of the Legislature                      DIED BETWEEN HOUSES**

<u>Sponsor(s)</u>	<u>Committee Report</u>	<u>Amendments Adopted</u>
TRAHAN	OTP-AM	

LD 1315 proposed to authorize the Legislative Council to film legislative sessions and make the archival copies of the legislative proceedings available to the public. It also establishes a fund to be used to carry out the recording and archiving.

**Committee Amendment "A" (H-414)** proposed to authorize Internet broadcast of legislative sessions in addition to audio feed and visual recordings that are to be archived. The amendment would prohibit the use of audio and video recordings for political purposes, with a violation being a Class E crime. The Legislative Council is authorized to determine copyright and other procedures. Recordings, both archived and Internet video, will begin only if there is sufficient money raised through grants, gifts, bequests and donations and no budget appropriation is required.

**Senate Amendment "A" to Committee Amendment "A" (S-353)** proposed to allow the Legislative Council to equip the chambers of the Senate and House of Representatives with cameras and recording equipment but authorize the use within each chamber only when in conformity with the rules of that chamber. This amendment would also provide authority to the Legislative Council to equip the legislative committee hearing rooms with cameras and recording equipment.

**Senate Amendment "B" to Committee Amendment "A" (S-355)** proposed to allow the Legislative Council to equip the chambers of the Senate and House of Representatives with cameras and recording equipment but authorize the use within each chamber only when in conformity with the rules of that chamber.

**LD 1316                      An Act To Enable the Town of Livermore Falls To Withdraw from                      ONTP  
Androscoggin County and Join Franklin County**

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

LD 1316 proposed to authorize the Town of Livermore Falls to withdraw from Androscoggin County and be annexed by Franklin County.