

# 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*

**Staff:**

*James K. Dionne, Principal Analyst*

*Office of Fiscal and Program Review  
5 State House Station  
Augusta, ME 04333*

*(207)287-1635*

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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 Appropriations and Financial Affairs*

**LD 1291**                      **An Act To Fund Fully the Purchase of Military Time**                      **ONTP**

<u>Sponsor(s)</u> ANNIS DAVIS P		<u>Committee Report</u> ONTP		<u>Amendments Adopted</u>
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LD 1291 proposed to provide one-time funds to subsidize the purchase of military service credit for the members who applied and were determined eligible to purchase the service credit for calendar year 2004 per Public Law 2003, chapter 693.

**LD 1293**                      **An Act To Assist Families and Children by Increasing Access to the Court System**                      **CARRIED OVER**

<u>Sponsor(s)</u> PELLETIER-SIMPS HOBBINS		<u>Committee Report</u> OTP-AM    MAJ ONTP        MIN		<u>Amendments Adopted</u> H-196
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LD 1293 proposed to include General Fund appropriations and Federal Expenditures Fund allocations to the Judicial Department to provide funds for 2 family case management officers, 2 assistant clerks and 2 security officers to reduce the backlog of cases in counties with larger populations.

**Committee Amendment “A” (H-196)** proposed to remove the emergency preamble and the emergency clause from the bill, indicate the positions will be used where the need is most acute and amend the personal services appropriations and allocations to reflect an estimated start date of October 1, 2005.

**LD 1311**                      **An Act To Preserve the Integrity of the Fund for a Healthy Maine**                      **CARRIED OVER**

<u>Sponsor(s)</u> CUMMINGS		<u>Committee Report</u>		<u>Amendments Adopted</u>
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LD 1311 proposed to require that in certain circumstances allocations from the Fund for a Healthy Maine would be voted on in separate legislation.

This bill was carried over by H.P. 1203 to any special or regular session of the 122nd Legislature.

**LD 1330**                      **Resolve, To Lower the Cost of State Government by Approximately \$1,000,000 Annually**                      **CARRIED OVER**

<u>Sponsor(s)</u> NUTTING J		<u>Committee Report</u>		<u>Amendments Adopted</u>
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## *Joint Standing Committee on Appropriations and Financial Affairs*

LD 1330 proposed to reduce state spending by approximately \$1,000,000 annually, commencing with fiscal year 2006-07. This resolve would require that the Governor identify and recommend for elimination to the Joint Standing Committee on Appropriations and Financial Affairs 8 politically appointed positions in State Government.

This bill was carried over by H.P. 1203 to any special or regular session of the 122<sup>nd</sup> Legislature.

**LD 1348                      An Act To Increase Funding for Meals on Wheels Program                      CARRIED OVER**

<u>Sponsor(s)</u>	<u>Committee Report</u>	<u>Amendments Adopted</u>
CAMPBELL NASS R	OTP-AM	H-279

LD 1348 proposed to appropriate funds to reimburse volunteers of meals on wheels programs for travel expenses.

**Committee Amendment “A” (H-279)** proposed to clarify the use and recipient of the appropriation.

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 1369                      Resolve, Directing the Department of Administrative and                      RESOLVE 30  
Financial Services, Bureau of the Budget To Review Unfunded                      EMERGENCY  
Mandates**

<u>Sponsor(s)</u>	<u>Committee Report</u>	<u>Amendments Adopted</u>
RINES ANDREWS	OTP-AM	H-260 H-286 FISCHER

LD 1369 proposed to direct the Department of Administrative and Financial Services, Bureau of the Budget to identify the unfunded state mandates placed on local and regional governmental entities that were enacted prior to November 23, 1992, the effective date of the Constitution of Maine, Article 9, Section 21, which limits the imposition of unfunded state mandates and to recommend legislation for reducing the burden of those mandates.

**Committee Amendment “A” (H-260)** proposed to change the agency responsible for the review of unfunded state mandates from the Department of Administrative and Financial Services, Bureau of the Budget to the Executive Department, State Planning Office. In addition, the amendment proposed to restrict the review to unfunded state mandates that pertain to municipalities.

**House Amendment “A” To Committee Amendment “A” (H-286)** proposed to change the agency responsible for the review of unfunded state mandates from the Executive Department, State Planning Office to the Intergovernmental Advisory Group.

### *Enacted law summary*

Resolve 2005, chapter 30, section 1 directs the Intergovernmental Advisory Group to conduct a review of unfunded state mandates that pertain to municipalities, identify those mandates that were enacted prior to