

MAINE STATE LEGISLATURE

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LAWS
OF THE
STATE OF MAINE

AS PASSED BY THE

ONE HUNDRED AND TWENTY-SECOND LEGISLATURE

FIRST REGULAR SESSION
December 1, 2004 to March 30, 2005

FIRST SPECIAL SESSION
April 4, 2005 to June 18, 2005

THE GENERAL EFFECTIVE DATE FOR
FIRST REGULAR SESSION
NON-EMERGENCY LAWS IS
JUNE 29, 2005

THE GENERAL EFFECTIVE DATE FOR
FIRST SPECIAL SESSION
NON-EMERGENCY LAWS IS
SEPTEMBER 17, 2005

PUBLISHED BY THE REVISOR OF STATUTES
IN ACCORDANCE WITH MAINE REVISED STATUTES ANNOTATED,
TITLE 3, SECTION 163-A, SUBSECTION 4.

Penmor Lithographers
Lewiston, Maine
2005

OTHER SPECIAL REVENUE		
FUNDS	2005-06	2006-07
Personal Services	\$880	\$880
All Other	\$3,600	\$3,600
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OTHER SPECIAL REVENUE		
FUNDS TOTAL	\$4,480	\$4,480

Emergency clause. In view of the emergency cited in the preamble, this resolve takes effect when approved.

Effective June 21, 2005.

CHAPTER 122

H.P. 699 - L.D. 1015

Resolve, To Increase Small Business Access to State Contracts

Sec. 1. Increase access to state contracts.

Resolved: That all state agencies with assistance from the Department of Economic and Community Development shall do more outreach to increase access to government contracts by the small business community and shall assist small businesses in making contacts with the Market Development Center.

See title page for effective date.

CHAPTER 123

H.P. 226 - L.D. 301

Resolve, To Implement the Recommendations of the Committee To Study Compliance with Maine's Freedom of Access Laws

Sec. 1. Advisory committee established.

Resolved: That the Freedom of Access Advisory Committee, referred to in this resolve as "the committee," is established to serve as a resource for ensuring compliance with the Maine Revised Statutes, Title 1, chapter 13, subchapters 1 and 1-A and upholding the integrity of the purposes underlying subchapter 1 as it applies to all public entities in the conduct of the public's business; and be it further

Sec. 2. Membership. Resolved: That the committee consists of the following 13 members:

1. One Senator, appointed by the President of the Senate, who serves as Senate chair;
2. One member of the House of Representatives, appointed by the Speaker of the House, who serves as House chair;

3. One representative of municipal interests, appointed by the Governor;

4. One representative of county or regional interests, appointed by the President of the Senate;

5. One representative of school interests, appointed by the Governor;

6. One representative of law enforcement interests, appointed by the President of the Senate;

7. One representative of the interests of State Government, appointed by the Governor;

8. One representative of a statewide coalition of advocates of freedom of access, appointed by the Speaker of the House;

9. One representative of newspaper and other press interests, appointed by the President of the Senate;

10. One representative of broadcasting interests, appointed by the Speaker of the House;

11. One representative of the public, appointed by the Speaker of the House;

12. The Attorney General or the Attorney General's designee; and

13. The committee shall invite the Chief Justice of the Supreme Judicial Court to designate a member of the judicial branch to serve as a member of the committee; and be it further

Sec. 3. Appointments; convening first meeting. Resolved: That all appointments must be made no later than 15 days following the effective date of this resolve. The appointing authorities shall notify the Executive Director of the Legislative Council once all appointments have been completed. Within 15 days after appointment of all members the chairs shall call and convene the first meeting of the committee, which must be no later than October 1, 2005; and be it further

Sec. 4. Meetings. Resolved: That the committee may meet up to 3 times; and be it further

Sec. 5. Duties and powers. Resolved: That the committee:

1. Shall provide to the review committee under the Maine Revised Statutes, Title 1, chapter 13, subchapter 1-A information and advice concerning the review of exceptions to public records under subchapter 1-A and shall assist the review committee in ensuring that the schedule for review is maintained, that proposed exceptions are subject to the review

process and that the criteria for review are appropriately applied;

2. Shall review the public's access to public proceedings and records; and

3. Shall make recommendations to the Governor, the Legislature, the Chief Justice of the Supreme Judicial Court and local and regional governmental entities for changes in law and practice that are appropriate to maintain the integrity of the freedom of access laws and their underlying principles; and be it further

Sec. 6. Reimbursement for expenses. Resolved: That the legislative members of the committee are entitled to receive the legislative per diem, as defined in the Maine Revised Statutes, Title 3, section 2, and reimbursement for travel and other necessary expenses related to their attendance at authorized meetings of the committee. Public members not otherwise compensated by their employers or other entities that they represent are entitled to receive reimbursement of necessary expenses and, upon a demonstration of financial hardship, a per diem equal to the legislative per diem for their attendance at authorized meetings of the committee; and be it further

Sec. 7. Assistance. Resolved: That the committee may request from any public agency or official assistance and information to enable the committee to effectively carry out the responsibilities described in this section; and be it further

Sec. 8. Report. Resolved: That by December 7, 2005 the committee shall report to the Governor, the Legislative Council, the Joint Standing Committee on Judiciary and the Chief Justice of the Supreme Judicial Court about the state of the freedom of access laws and the public's access to public proceedings and records. The joint standing committee may report out a bill to make necessary changes in law.

See title page for effective date.

CHAPTER 124

S.P. 516 - L.D. 1498

Resolve, To Establish the Committee To Study the Establishment of a Memorial for Emergency Medical Services Personnel and To Set Aside Space for That Memorial

Sec. 1. Committee established. Resolved: That the Committee to Study the Establishment of a Memorial for Emergency Medical Services Personnel,

referred to in this resolve as "the committee," is established; and be it further

Sec. 2. Committee membership. Resolved: That the committee consists of 9 members appointed as follows:

1. One member of the Senate appointed by the President of the Senate;

2. Two members of the House of Representatives appointed by the Speaker of the House;

3. Three Maine emergency medical services licensed personnel of different license levels appointed by the President of the Senate;

4. One representative of the Maine Emergency Medical Services Memorial Fundraising Project appointed by the Speaker of the House;

5. One representative of the State House and Capitol Park Commission appointed by the chair of that commission; and

6. One representative of the Capitol Planning Commission appointed by the chair of that commission; and be it further

Sec. 3. Chair. Resolved: That the Senate member of the committee is the chair of the committee; and be it further

Sec. 4. Appointments; convening of committee. Resolved: That all appointments must be made no later than 30 days following the effective date of this resolve. The appointing authorities shall notify the Secretariat of the Capitol Planning Commission once all appointments have been completed. Within 15 days after appointment of all members, the chair shall call and convene the first meeting of the committee; and be it further

Sec. 5. Duties. Resolved: That the committee shall study issues and make recommendations regarding the establishment of a memorial to honor emergency medical services personnel who have fallen in the line of duty and others who have made significant contributions to the development of the statewide Maine emergency medical services system, including, but not limited to:

1. Where within the areas described in section 11 of this resolve, the memorial should be located;

2. What should be inscribed on the memorial;

3. The design of the memorial; and

4. The cost of establishing and maintaining the memorial and the process of fund-raising to ensure that no state funds will be required; and be it further