

# MAINE STATE LEGISLATURE

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*State Of Maine  
121st Legislature*

*First Regular Session*

*Bill Summaries*

*Joint Standing Committee  
on  
State and Local Government*

*July 2003*

**Members:**

*Sen. Margaret Rotundo, Chair*

*Sen. Lloyd P. LaFountain III*

*Sen. Carolyn M. Gilman*

*Rep. Janet L. McLaughlin, Chair*

*Rep. George H. Bunker, Jr.*

*Rep. Christopher R. Barstow*

*Rep. Susanne P. Ketterer*

*Rep. Edward J. Suslovic*

*Rep. Anita Peavey-Haskell*

*Rep. Robert H. Crosthwaite*

*Rep. Stephen Bowen*

*Rep. Oscar C. Stone*

*Rep. Gary E. Sukeforth*

**Staff:**

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*13 State House Station*

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# Maine State Legislature



## Office Of Policy And Legal Analysis Office Of Fiscal And Program Review

### 121st Maine Legislature First Regular Session

#### Summary Of Legislation Before The Joint Standing Committees

Enclosed please find a summary of all bills, resolves, joint study orders, joint resolutions and Constitutional resolutions that were considered by the joint standing and joint 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 arranged alphabetically by committee name 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. Two indices, a subject index and a numerical index by LD number are provided for easy reference to bills. They are located 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](http://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:

<i>CARRIED OVER PURSUANT TO HP 1212</i> .....	<i>Bills carried over to the 2<sup>nd</sup> Regular Session</i>
<i>CON RES XXX</i> .....	<i>Chapter # of Constitutional Resolution passed by both Houses</i>
<i>CONF CMTE UNABLE TO AGREE</i> .....	<i>Committee of Conference unable to agree; bill died</i>
<i>DIED BETWEEN BODIES</i> .....	<i>House &amp; Senate disagree; bill died</i>
<i>DIED IN CONCURRENCE</i> .....	<i>One body accepts ONTP report; the other indefinitely postpones the bill</i>
<i>DIED ON ADJOURNMENT</i> .....	<i>Action incomplete when session ended; bill died</i>
<i>EMERGENCY</i> .....	<i>Enacted law takes effect sooner than 90 days</i>
<i>FAILED EMERGENCY ENACTMENT/FINAL PASSAGE</i> .....	<i>Emergency bill failed to get 2/3 vote</i>
<i>FAILED ENACTMENT/FINAL PASSAGE</i> .....	<i>Bill failed to get majority vote</i>
<i>FAILED MANDATE ENACTMENT</i> .....	<i>Bill imposing local mandate failed to get 2/3 vote</i>
<i>NOT PROPERLY BEFORE THE BODY</i> .....	<i>Ruled out of order by the presiding officers; bill died</i>
<i>INDEF PP</i> .....	<i>Bill Indefinitely Postponed</i>
<i>ONTP</i> .....	<i>Ought Not To Pass report accepted</i>
<i>OTP-ND</i> .....	<i>Committee report Ought To Pass In New Draft</i>
<i>P&amp;S XXX</i> .....	<i>Chapter # of enacted Private &amp; Special Law</i>
<i>PASSED</i> .....	<i>Joint Order passed in both bodies</i>
<i>PUBLIC XXX</i> .....	<i>Chapter # of enacted Public Law</i>
<i>RESOLVE XXX</i> .....	<i>Chapter # of finally passed Resolve</i>
<i>UNSIGNED</i> .....	<i>Bill held by Governor</i>
<i>VETO SUSTAINED</i> .....	<i>Legislature failed to override Governor's Veto</i>

Please note that the effective date for all non-emergency legislation enacted in the First Regular Session (unless otherwise specified in a particular law) is September 13, 2003.

**David C. Elliott, Director**  
Offices located in Room 215 of the Cross Office Building

*Joint Standing Committee on State and Local Government*

**LD 1189**

**An Act To Establish the Commission for the Blind**

**ONTP**

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

LD 1189 proposed to establish the Commission for the Blind to report directly to the Governor. Under the proposed bill, the commission would be the successor to the Department of Labor, Bureau of Rehabilitation Services, Division for the Blind and Visually Impaired, which is repealed in this bill. This commission would have assisted the Governor in the formulation, coordination and management of policy regarding services and issues having an impact on those who are blind or visually impaired or are family members of persons who are blind or visually impaired and would have worked to ensure coordination of public and private agencies dealing with issues of blindness and visual impairment.

**Committee Amendment "A" (S-63)**, which was the minority report, proposed to add an appropriation section to the bill. This amendment was not adopted.

**LD 1199**

**An Act To Establish the Lincoln and Sagadahoc Multicounty Jail Authority**

**PUBLIC 228  
EMERGENCY**

<u>Sponsor(s)</u>	<u>Committee Report</u>	<u>Amendments Adopted</u>
MAYO	OTP-AM	S-103
WATSON		

LD 1199 proposed to establish the Lincoln and Sagadahoc Multicounty Jail Authority.

**Committee Amendment "A" (S-103)** proposed to make technical and formatting changes to the bill.

***Enacted Law Summary***

Public Law 2003, chapter 228 establishes the Lincoln and Sagadahoc Multicounty Jail Authority.

Public Law 2003, chapter 228 was enacted as an emergency measure effective May 21, 2003.

**LD 1206**

**An Act To Encourage Responsible Employment Practices**

**PUBLIC 501**

<u>Sponsor(s)</u>	<u>Committee Report</u>	<u>Amendments Adopted</u>
COLWELL	OTP-AM MAJ	H-353
EDMONDS	ONTP MIN	

LD 1206 proposed to require the State Purchasing Agent to adopt rules to establish a fair basis for bid price comparison among businesses that provide health and retirement benefits and those that do not provide these benefits. It proposed to require that, before a state agency or department may contract personal services out to a

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private contractor, it must establish an equivalent basis for cost comparison for businesses that do not provide health insurance or retirement benefits. Under the proposed bill, personal services contracting would not be permitted unless a private contractor provides the best value.

**Committee Amendment "A" (H-353)**, which is the majority report, proposed to limit the applicability of the rules to establish a fair basis for bid and cost comparison to personal services.

### ***Enacted Law Summary***

Public Law 2003, chapter 501 requires the State Purchasing Agent to adopt rules to establish a fair basis for bid price comparison among businesses that provide health and retirement benefits and those that do not provide these benefits. The applicability of the rules is limited to personal services. It also requires that, before a state agency or department may contract personal services out to a private contractor, it must establish an equivalent basis for cost comparison for businesses that do not provide health insurance or retirement benefits. Personal services contracting is not permitted unless a private contractor provides the best value.

### **LD 1210                      Resolve, To Establish the Intergovernmental Advisory Commission    CARRIED OVER**

<u>Sponsor(s)</u>	<u>Committee Report</u>	<u>Amendments Adopted</u>
BOWEN DAMON		

LD 1210 proposes to establish the Intergovernmental Advisory Commission to study ways to reduce duplication among all 3 levels of government in the State as well as within each level of government; promote communications, cooperation and efficient delivery of services; and develop a mechanism to establish a permanent statewide intergovernmental advisory commission.

### **LD 1216                      An Act To Amend the Laws Regarding County Government                      ONTP**

<u>Sponsor(s)</u>	<u>Committee Report</u>	<u>Amendments Adopted</u>
BARSTOW MAYO	ONTP	

LD 1216 proposed to require all counties that have not adopted a county charter to adopt a charter by January 1, 2006. The bill also proposed to set residency requirements for the register of probate and the register of deeds and minimum qualifications for the county treasurer. The bill also proposed to require that district attorneys be appointed.