

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

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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).

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 2nd 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 & 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&S XXX</i>	<i>Chapter # of enacted Private & 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 1357

An Act To Encourage Economic Development in Piscataquis County

**PUBLIC 179
EMERGENCY**

<u>Sponsor(s)</u>	<u>Committee Report</u>	<u>Amendments Adopted</u>
DAVIS P ANNIS	OTP-AM	S-59

LD 1357 proposed to authorize the county commissioners of Piscataquis County to raise, appropriate, borrow and spend money for the purposes of economic development in Piscataquis County.

Committee Amendment "A" (S-59) proposed to clarify that the definition of what activities constitute "county economic development" in Piscataquis County includes activities in unorganized territories. The amendment also proposed to clarify that, in order for the election results to be valid, the total number of votes cast must be equal to at least 50% of the total number of votes cast in Piscataquis County in the most recent gubernatorial election.

Enacted Law Summary

Public Law 2003, chapter 179 authorizes the county commissioners of Piscataquis County to raise, appropriate, borrow and spend money for the purposes of economic development in Piscataquis County.

Public Law 2003, chapter 179 was enacted as an emergency measure effective May 6, 2003.

LD 1377

Resolve, Authorizing the Commissioner of Administrative and Financial Services To Release the State's Interests in an Easement Benefiting the Maine Criminal Justice Academy in Vassalboro

RESOLVE 31

<u>Sponsor(s)</u>	<u>Committee Report</u>	<u>Amendments Adopted</u>
MCLAUGHLIN ROTUNDO	OTP-AM	H-252

LD 1377 proposed to authorize the Commissioner of Administrative and Financial Services to release an abandoned well and water line easement that formerly served the former Oak Grove School, currently owned by the State and occupied by the Maine Criminal Justice Academy.

Committee Amendment "A" (H-252) proposed to require the Commissioner of Administrative and Financial Services to conduct at the State's expense an appraisal of the Realewood Estates North subdivision with the easement and without the easement on the property. The amendment also proposed to require the commissioner to determine, based on the value of the property without the easement, the terms under which the State may release the easement.

Enacted Law Summary

Resolve 2003, chapter 31 authorizes the Commissioner of Administrative and Financial Services to release an abandoned well and water line easement that formerly served the former Oak Grove School, currently owned by the State and occupied by the Maine Criminal Justice Academy. It requires the Commissioner of Administrative and

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Financial Services to conduct at the State's expense an appraisal of the Realewood Estates North subdivision with the easement and without the easement on the property. It also requires the commissioner to determine, based on the value of the property without the easement, the terms under which the State may release the easement.

LD 1393 **An Act To Provide for Meaningful Public Input in the Maine Administrative Procedure Act** **CARRIED OVER**

<u>Sponsor(s)</u>	<u>Committee Report</u>	<u>Amendments Adopted</u>
MCLAUGHLIN NASS		

LD 1393 proposes to amend the rule-making process to clarify the intent of the Legislature to require agencies to consider the full impact of the rules, both substantively and financially, on the State, agencies, providers of services through state contracts and consumers of those services. This bill also proposes to require a detailed analysis prior to consideration and adoption of any proposed rule.

LD 1412 **Resolve, Authorizing the Commissioner of Administrative and Financial Services To Increase the Ground Lease Term at the Long Creek Youth Development Center from 50 to 90 Years** **RESOLVE 53**

<u>Sponsor(s)</u>	<u>Committee Report</u>	<u>Amendments Adopted</u>
MCLAUGHLIN BROMLEY	OTP-AM MAJ ONTP MIN	H-387

LD 1412 proposed to extend the ground lease term from 50 to 90 years for property leased by the State at the Long Creek Youth Development Center in the City of South Portland.

Committee Amendment "A" (H-387), which was the majority report, proposed to require the lessee of the leased property at the Long Creek Youth Development Center to take responsibility for the administration building. The proposed amendment requires the lessee to make every effort to redevelop the administration building and, if redevelopment is not viable, demolish the building at the lessee's expense. The proposed amendment requires the lessee to make the decision to redevelop or demolish the administration building within 7 years after signing the lease.

House Amendment "A" to Committee Amendment "A" (H-405) proposed to define affordable housing as having the same meaning as in the Maine Revised Statutes, Title 30-A, section 4301, subsection 1. The amendment also proposed to make the execution of the lease for 90 years contingent upon there being affordable housing in place. This amendment also proposed to correct a punctuation error. This amendment was not adopted.

Enacted Law Summary

Resolve 2003, chapter 53 extends the ground lease term from 50 to 90 years for property leased by the State at the Long Creek Youth Development Center in the City of South Portland. It requires the lessee of the leased property at the Long Creek Youth Development Center to take responsibility for the administration building. The lessee must make every effort to redevelop the administration building. If redevelopment is not viable, the building must