

# 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:**

*Lisa M. Baldwin, Legislative Analyst*

*Office of Policy and Legal Analysis*

*13 State House Station*

*Augusta, ME 04333*

*(207) 287-1670*

# 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*

**Committee Amendment "A" (H-224)**, which is the majority report, proposed to incorporate a fiscal note.

**Senate Amendment "A" (S-311)** proposed to authorize the Commissioner of Administrative and Financial Services, on behalf of the Department of Education, to enter into lease-purchase contracts or other financing arrangements in fiscal years 2003-04 and 2004-05 for acquisition of school buses. This would be to replace 43 buses that must be removed from service for safety reasons. The amendment proposed that financing may not exceed 7 years in duration and \$2,500,000 in principal costs, and interest rates may not exceed 6%.

### *Enacted Law Summary*

Resolve 2003, chapter 92 authorizes the Commissioner of Administrative and Financial Services to sell or lease the State's interests in certain property located in Hallowell. It also authorizes the Commissioner of Administrative and Financial Services, on behalf of the Department of Education, to enter into lease-purchase contracts or other financing arrangements in fiscal years 2003-04 and 2004-05 for acquisition of school buses. Financing may not exceed 7 years in duration and \$2,500,000 in principal costs. Interest rates may not exceed 6%.

**LD 1466**

### **An Act To Relocate the Prohibition of Use of State Government Computer Systems for Political Purposes to the Election Laws**

**PUBLIC 176**

Sponsor(s)  
MCLAUGHLIN

Committee Report  
OTP

Amendments Adopted

LD 1466 proposed to change the statutory location of the prohibition on use of state government computer systems for political purposes from the Maine Revised Statutes, Title 5, chapter 163, which involves the Office of the Chief Information Officer within the Department of Administrative and Financial Services, to Title 21-A, which involves election law.

### *Enacted Law Summary*

Public Law 2003, chapter 176 changes the statutory location of the prohibition on use of state government computer systems for political purposes from the Maine Revised Statutes, Title 5, chapter 163, which involves the Office of the Chief Information Officer within the Department of Administrative and Financial Services, to Title 21-A, which involves election law.

**LD 1468**

### **An Act To Amend the Civil Service Law with Respect to Classified Employees Who Accept Appointment to the Unclassified Service**

**PUBLIC 177**

Sponsor(s)  
MCLAUGHLIN

Committee Report  
OTP

Amendments Adopted

LD 1468 proposed to permit a classified state employee who leaves the classified service to serve in an appointive position to retain promotion, transfer and demotion rights in the civil service for the duration of that employee's appointment in the unclassified service. The proposed bill would not have an impact on unclassified employees who were appointed from outside of State Government. Under the proposed bill, greater incentives would be provided for classified state employees to serve in long-term appointments to the unclassified service.

## *Joint Standing Committee on State and Local Government*

The 12-month restoration right provided to a classified employee in the Maine Revised Statutes, Title 5, section 931, subsection 2, paragraph C would not be affected.

### *Enacted Law Summary*

Public Law 2003, chapter 177 permits a classified state employee who leaves the classified service to serve in an appointive position to retain promotion, transfer and demotion rights in the civil service for the duration of that employee's appointment in the unclassified service. It does not have an impact on unclassified employees who were appointed from outside of State Government. In addition, it provides greater incentives for classified state employees to serve in long-term appointments to the unclassified service. This law has no effect on the 12-month restoration right provided to a classified employee in the Maine Revised Statutes, Title 5, section 931, subsection 2, paragraph C.

**LD 1504**                      **An Act To Clarify the Work Center Purchases Committee Requirements for Work Centers and Competitive Bidding**                      **CARRIED OVER**

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

LD 1504 proposes to clarify the Work Center Purchases Committee requirements for work centers and competitive bidding.

**LD 1512**                      **Resolve, Authorizing the Commissioner of Administrative and Financial Services To Sell Up to 15 Acres of Land and Other Interests of the State at the Long Creek Youth Development Center, in South Portland**                      **RESOLVE 90**

<u>Sponsor(s)</u>	<u>Committee Report</u>	<u>Amendments Adopted</u>
MCLAUGHLIN BROMLEY	OTP-AM    MAJ ONTP        MIN	H-370

LD 1512 proposed to authorize the Commissioner of Administrative and Financial Services to sell up to 15 acres of unimproved land at the Long Creek Youth Development Center in South Portland for affordable or workforce housing.

**Committee Amendment "A" (H-370)** proposed to require the transfer of the 15 acres of land and other interests of the State at the Long Creek Youth Development Center in South Portland to be subject to local zoning ordinances.