

# MAINE STATE LEGISLATURE

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*State Of Maine  
121st Legislature*

*Second Regular Session and  
Second Special Session*

*Bill Summaries*

*Joint Standing Committee  
on  
State and Local Government*

*May 2004*

**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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*Maine State Legislature*



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

*121st Maine Legislature  
Second Regular Session and  
Second Special 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/billsumm.htm](http://www.state.me.us/legis/opla/billsumm.htm)).

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:

- 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*
- P&S XXX..... Chapter # of enacted Private & Special Law*
- PASSED..... Joint Order passed in both bodies*
- 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 that the effective date for all non-emergency legislation enacted in the Second Regular Session (unless otherwise specified in a particular law) is April 30, 2004; and non-emergency legislation enacted in the Second Special Session is July 30, 2004. Four bills (LD's 1572, 1629, 1636 and 1637) that were considered at the First Special Session in August 2003 are also included in these summaries.

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

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

**LD 1332**                      **An Act To Recognize the Maine Rural Development Council**                      **ONTP**

<u>Sponsor(s)</u> DAMON		<u>Committee Report</u> ONTP		<u>Amendments Adopted</u>
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LD 1332 proposed to establish the Maine Rural Development Council in statute and designate it as the entity authorized to participate in the National Rural Development Partnership.

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

<u>Sponsor(s)</u> MCLAUGHLIN NASS		<u>Committee Report</u> ONTP		<u>Amendments Adopted</u>
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LD 1393 proposed 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. The provisions of this bill proposed to require a detailed analysis of the impacts at the time of the proposal, consideration and adoption of any proposed rule.

**LD 1504**                      **An Act To Clarify the Work Center Purchases Committee Requirements for Work Centers and Competitive Bidding**                      **PUBLIC 515**

<u>Sponsor(s)</u> MCLAUGHLIN ROTUNDO		<u>Committee Report</u> OTP		<u>Amendments Adopted</u>
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LD 1504 proposed to clarify the Work Center Purchases Committee requirements for work centers and competitive bidding.

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

Public Law 2003, chapter 515 clarifies the Work Center Purchases Committee requirements for work centers and competitive bidding. Specifically, it does the following:

1. Changes the term “Disabled Persons” to “Persons with Disabilities”;
2. Includes a new option for entities to become certified as work centers;
3. Updates language to identify the current positions responsible for the Work Center Purchases Committee. The term “State Purchasing Agent” is replaced with “Director of the Bureau of General Services”; and

*Joint Standing Committee on State and Local Government*

4. Authorizes the committee to develop procedures to grant contract extensions. Currently, contracts are awarded through an annual competitive bid process.

**LD 1637**

**An Act To Provide a Clear Transition for the County  
Commissioner Districts as Apportioned by Public Law 2003,  
Chapter 43 and as Codified by Public Law 2003, Chapter 291**

**PUBLIC 508  
EMERGENCY**

Sponsor(s)  
GAGNON  
CLARK

Committee Report

Amendments Adopted

LD 1637 proposed to clarify that county commissioner positions with terms that expire in 2004 will be filled by candidates running for those offices in the newly apportioned county commissioner districts. The makeup of all districts for county commissioner will change beginning on January 1, 2005.

LD 1637 was engrossed without reference to committee at the First Special Session of the 121<sup>st</sup> Legislature in August 2003.

***Enacted Law Summary***

Public Law 2003, chapter 508 clarifies that county commissioner positions with terms that expire in 2004 will be filled by candidates running for those offices in the newly apportioned county commissioner districts. The makeup of all districts for county commissioner will change beginning on January 1, 2005.

Public Law 2003, chapter 508 was enacted as an emergency measure effective August 26, 2003.

**LD 1653**

**An Act To Authorize the Town of Verona To Change Its Name**

**PUBLIC 534  
EMERGENCY**

Sponsor(s)  
YOUNGBLOOD  
CHURCHILL E

Committee Report  
OTP-AM

Amendments Adopted  
S-381

LD 1653 proposed to change the name of the Town of Verona to "Town of Verona Island." A referendum is scheduled to be held before January 1, 2005 for approval by the residents of Verona.

**Committee Amendment "A" (S-381)** proposed to add an emergency preamble and emergency clause to the bill. This amendment also proposed to remove that section of the bill that amends a senatorial district as it existed prior to the redistricting effected by the Supreme Judicial Court.