

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
Appropriations and Financial Affairs*

May 2004

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Sen. Margaret R. Rotundo
Sen. Karl W. Turner*

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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).

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>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 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

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This law also repeals the section of chapter 333 that repealed Title 12, section 7467, subsection 8, thus leaving subsection 8 in force. Further, it proposed to make the change effective September 13, 2003, which was the date chapter 333 was to take effect. Public Law 2003, chapter 333 repealed the Maine Revised Statutes, Title 12, section 7464, subsection 7, which prohibited the illegal possession of a gift moose, and Title 12, section 7464, subsection 8, which prohibited the buying and selling of moose. Although the repeal of Title 12, section 7467, subsection 7 was intentional, Title 12, section 7467, subsection 8 was repealed in error.

Public Law 2003, chapter 507 was enacted as an emergency measure and took effect August 26, 2003.

LD 1647 **An Act To Authorize a General Fund Bond Issue in the Amount of \$3,000,000 To Build a Warehouse To Stimulate and Support Maine's Manufacturing, Transportation and Harbor Industries** **ONTP**

<u>Sponsor(s)</u> USHER HATCH, PH	<u>Committee Report</u> ONTP	<u>Amendments Adopted</u>
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LD 1647 proposed to authorize a General Fund bond issue in the amount of \$3,000,000, to be used to construct a warehouse facility at Merrill's Marine Terminal in the Port of Portland.

LD 1673 **An Act To Provide Funding for the Commission on Governmental Ethics and Election Practices** **ONTP**

<u>Sponsor(s)</u> COLWELL GAGNON	<u>Committee Report</u> ONTP	<u>Amendments Adopted</u>
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LD 1673 proposed the following.

Part A of this bill proposed to appropriate funds to the Commission on Governmental Ethics and Election Practices for the following purposes:

1. To provide additional funding for the Maine Clean Election Fund;
2. To provide additional funds for temporary workers needed for election-related data entry and clerical tasks;
3. To provide additional funds for certain technology costs; and
4. To provide additional funds for per diem payments for commission members.

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Part B of this bill proposed to authorize the commission to request transfers to the Maine Clean Election Fund if it was determined that the likely demand from the fund in the coming year would exceed revenues in the fund. The bill specifically proposed to authorize the commission to request a transfer of up to \$2,000,000 no later than February 28, 2004, reflecting an advance of the transfer of amounts that would be received on or before January 1, 2005.

LD 1919, Public Law chapter 673, Part EE amends the law to allow for a partial transfer of funds from the General Fund to the Maine Clean Election Fund to occur on September 1, 2004.

LD 1682 **An Act To Ensure the State's Commitment to Former Students Who Were Physically or Sexually Abused at the Governor Baxter School for the Deaf or the Maine School for the Deaf** **INDEF PP**

<u>Sponsor(s)</u>	<u>Committee Report</u>	<u>Amendments Adopted</u>
EDMONDS BLISS	OTP	

LD 1682 proposed to appropriate \$6,000,000 to the Baxter Compensation Authority to disperse cash awards to those former students who were found to have suffered physical or sexual abuse while they were students at and under the care of the Governor Baxter School for the Deaf or the Maine School for the Deaf.

In LD 1919, Public Law 2003, chapter 673, Part HHHH-2 appropriated \$6,000,000 in fiscal year 2004-05 to the Baxter Compensation Authority to fund cash awards to former students of the Governor Baxter School for the Deaf.

LD 1707 **An Act To Authorize a General Fund Bond Issue in the Amount of \$1,000,000 To Fund Downtown Revitalization To Preserve the Heritage of Municipalities** **ONTP**

<u>Sponsor(s)</u>	<u>Committee Report</u>	<u>Amendments Adopted</u>
GAGNON COWGER	ONTP	

LD 1707 proposed to provide a General Fund bond issue in the amount \$1,000,000, to be used for downtown revitalization to preserve the heritage of municipalities.