

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).

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

This amendment also proposed to extend the operation of the Aroostook Residential Center from its planned closing date of June 12, 2004 to July 31, 2004 and prohibit the conveyance prior to August 1, 2004 or 90 days after the effective date of the resolve, whichever comes first. As proposed, nothing in this amendment would prohibit the State from using the proceeds from the conveyance to offset the costs of extending the operation of the Aroostook Residential Center.

Senate Amendment "B" (S-585) proposed to allow the state property to be sold to another social service agency if the Central Aroostook Association for Retarded Citizens does not purchase the property and require the property to be used for nonprofit purposes.

Enacted Law Summary

Resolve 2003, chapter 146 authorizes the Commissioner of Administrative and Financial Services to sell or lease the State's interests in property known as the "Aroostook Residential Center" in Presque Isle. The property must first be offered to the Central Aroostook Association for Retarded Citizens, Inc. for land value only, and next to social service agencies, which may only use the land for nonprofit purposes.

LD 1839

**Resolve, To Provide for Legislative Review of Certain Agency
Rules and Submission of Certain Authorized Reports and
Legislation**

**RESOLVE 101
EMERGENCY**

Sponsor(s)
RICHARDSON J

Committee Report

Amendments Adopted

LD 1839 proposed to provide for procedural issues that arise as a result of a special session of the 121st Legislature that convenes before the statutory adjournment date of April 21, 2004. Specifically, the resolve proposed to do the following.

1. Authorize committees of jurisdiction under the State Government Evaluation Act to take actions under that Act in a special session.
2. Provide that any major agency rules that has not been acted upon may be held over to the special session.
3. Authorize certain actions in the special session that were authorized or required in the second regular session.

Enacted Law Summary

Resolve 2003, chapter 101 provides for procedural issues that arise as a result of a special session of the 121st Legislature that convenes before the statutory adjournment date of April 21, 2004. Specifically the resolve does the following.

1. It authorizes committees of jurisdiction under the State Government Evaluation Act to take actions under that Act in a special session.
2. It provides that any major agency rules that have not been acted upon may be held over to the special session.

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3. It authorizes certain actions in the special session that were authorized or required in the second regular session. Resolve 2003, chapter 101 was passed as an emergency measure effective February 2, 2004.

LD 1840 **Resolve, Concerning Payments to Legislators during Special Session** **DIED IN CONCURRENCE**

| | | | | |
|--------------------------------|--|-------------------------|--|---------------------------|
| <u>Sponsor(s)</u> DUPLESSIE | | <u>Committee Report</u> | | <u>Amendments Adopted</u> |
|--------------------------------|--|-------------------------|--|---------------------------|

LD 1840 proposed to provide that members of the Legislature would not be entitled to per diem compensation during a special session of the 121st Legislature that convened before the statutory adjournment date of April 21, 2004. The bill also proposed to not authorize the payment of constituent services allowances earlier than May 2004.

LD 1848 **An Act To Amend the Apportionment of Legislative House Districts 76 and 77** **PUBLIC 532 EMERGENCY**

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|-----------------------------|--|-------------------------|--|---|
| <u>Sponsor(s)</u> DUNLAP | | <u>Committee Report</u> | | <u>Amendments Adopted</u> S-383 GAGNON |
|-----------------------------|--|-------------------------|--|---|

LD 1848 proposed to amend the makeup of legislative House Districts 76 and 77 so that the line between the districts no longer bisects the Colby College campus in Waterville.

Senate Amendment "A" (S-383) proposed to add an emergency preamble and emergency clause to the bill.

Enacted Law Summary

Public Law 2003, chapter 532 amends the makeup of legislative House Districts 76 and 77 so that the line between the districts no longer bisects the Colby College campus in Waterville.

Public Law 2003, chapter 532 was enacted as an emergency measure effective March 3, 2004.