

MAINE STATE LEGISLATURE

The following document is provided by the
LAW AND LEGISLATIVE DIGITAL LIBRARY
at the Maine State Law and Legislative Reference Library
<http://legislature.maine.gov/lawlib>



Reproduced from electronic originals
(may include minor formatting differences from printed original)

*State Of Maine
122nd Legislature*

*First Regular Session and
First Special Session*

Bill Summaries

*Joint Standing Committee
on
Appropriations and Financial Affairs*

August 2005

Staff:

James K. Dionne, Principal Analyst

*Office of Fiscal and Program Review
5 State House Station
Augusta, ME 04333*

(207)287-1635

Members:

*Sen. Margaret Rotundo, Chair
Sen. John L. Martin
Sen. Richard A. Nass*

*Rep. Joseph C. Brannigan
Rep. Benjamin F. Dudley
Rep. Margaret M. Craven
Rep. Jeremy Fischer
Rep. Arthur L. Lerman
Rep. Janet T. Mills
Rep. H. Sawin Millett, Jr.
Rep. Robert W. Nutting
Rep. Stephen Bowen
Rep. Darlene J. Curley*



Maine State Legislature

OFFICE OF POLICY & LEGAL ANALYSIS

13 State House Station, Room 215 Cross State Office Building
Augusta, Maine 04333-0013
Telephone: (207) 287-1670
Fax: (207) 287-1275

122nd Legislature
First Regular Session and First Special Session

Summary of Legislation Considered by the Joint Standing Committees
August 2005

Enclosed please find a summary of all bills, resolves, joint study orders, joint resolutions and Constitutional resolutions that were considered by the joint standing 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 organized by committees 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. A subject index for each committee is included immediately before the bill summaries for that committee, and a numerical index by LD number is included 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:

- CARRIED OVER Bill Carried Over to Second Regular Session
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
OTP ND/NT..... Committee report Ought To Pass In New Draft/New Title
P&S XXX..... Chapter # of enacted Private & Special Law
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 the effective date for all non-emergency legislation enacted in the First Regular Session (unless otherwise specified in a particular law) is June 29, 2005; and for non-emergency legislation enacted in the First Special Session is September 17, 2005.

Joint Standing Committee on Appropriations and Financial Affairs

Part B of this bill proposed to amend the land acquisition priorities of the Land for Maine's Future program to include service center communities.

This bill was carried over by H.P. 1203 to any special or regular session of the 122nd Legislature.

LD 1043 An Act To Provide Funds for the Preservation of Digital Records CARRIED OVER

<u>Sponsor(s)</u>	<u>Committee Report</u>	<u>Amendments Adopted</u>
EDMONDS	OTP MAJ	
	ONTP MIN	

LD 1043 proposed to provide funds for a digital records management analyst position within the Department of the Secretary of State, Maine State Archives, beginning October 1, 2005 to provide technical and professional leadership and management for the preservation of the State's permanently valuable digital records.

This bill was carried over on the Special Appropriations Table by S. P. 640 to the next special or regular session of the 122nd Legislature.

**LD 1109 RESOLUTION, Proposing an Amendment to the Constitution of ONTP
Maine To Restrict an Increase in the Growth of the State Budget**

<u>Sponsor(s)</u>	<u>Committee Report</u>	<u>Amendments Adopted</u>
KAELIN	ONTP MAJ	
WESTON	OTP MIN	

LD 1109 proposed to establish a ceiling on the growth in state spending to a percentage rate equal to 2/3 of the average real personal income growth rate plus 2/3 of the average forecasted inflation rate, require a 2/3 vote of the Legislature to approve General Fund expenditures that exceed this ceiling and require that surplus funds be distributed: first, to a capital construction and improvements reserve fund and a budget stabilization fund; 2nd, to reduce the unfunded liability of the Maine State Retirement System and to conform Maine tax law with the United States Internal Revenue Code; and 3rd, to the people of the State of Maine.

LD 1125 An Act To Establish the Disaster Relief Fund PUBLIC 439

<u>Sponsor(s)</u>	<u>Committee Report</u>	<u>Amendments Adopted</u>
EDMONDS	OTP-AM MAJ	S-140
	ONTP MIN	S-397 ROTUNDO

LD 1125 proposed to establish the Homeland Security Relief Fund and authorize transfers to the fund from the General Fund as available until a maximum of \$5,000,000 is available in the fund. The bill proposed to specify that the fund may contain any federal money deposited in the fund and all interest earned on the fund's balance.

Joint Standing Committee on Appropriations and Financial Affairs

The bill proposed to require the Homeland Security Relief Fund to be the first resource used when the Maine Revised Statutes, Title 37-B, section 742, regarding emergency proclamation, or Title 37-B, section 744, regarding disaster relief, is invoked by the Governor.

Committee Amendment “A” (S-140) proposed to reduce the appropriation from \$3,000,000 to \$1,000,000.

Senate Amendment “A” To Committee Amendment “A” (S-397) proposed to change the name of the fund from "Homeland Security Relief Fund" to "Disaster Relief Fund" to more accurately reflect the purpose of the fund. This amendment also proposed to remove the provision requiring that funds be transferred from the General Fund to the Disaster Relief Fund at the close of each fiscal year and remove the appropriation.

Enacted law summary

Public Law 2005, chapter 439 established the Disaster Relief Fund to be administered by the Department of Defense, Veterans and Emergency Management, Maine Emergency Management Agency. This fund must be the first resource used when either §742 (emergency proclamation) or §744 (disaster relief) of 37-B Maine Revised Statutes Annotated is invoked.

LD 1216 **An Act To Strengthen Community Health Centers and Indian Health Centers** **ONTP**

<u>Sponsor(s)</u>	<u>Committee Report</u>	<u>Amendments Adopted</u>
CRESSEY SNOWE-MELLO	ONTP MAJ OTP MIN	

LD 1216 proposed to provide funding to reimburse 28 community and Indian health centers for uncollectible, outstanding patient accounts receivable. It also proposed to provide for grants to those centers totaling up to 10% of the balance remaining in the account of the Dirigo Health Fund on June 30th of each year.

LD 1234 **An Act To Reestablish the Maine Coast Environmental Trust Fund within the Department of Marine Resources** **CARRIED OVER**

<u>Sponsor(s)</u>	<u>Committee Report</u>	<u>Amendments Adopted</u>
KAELIN WESTON	OTP-AM	H-218

LD 1234 proposed to reestablish the Maine Coast Environmental Trust Fund in the Department of Marine Resources. The purpose of the trust fund is to protect and improve the quality of the State's marine environment by providing grants to qualifying organizations. This bill proposed to require the department to develop a competitive grant program, including qualifications and application procedures, and report back to the Second Regular Session of the 122nd Legislature with the department's recommendations.

The bill also proposed to appropriate start-up funds to the trust fund and funds to be used to restore the clam flats in Stockton Harbor.