

MAINE STATE LEGISLATURE

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*State Of Maine
122nd Legislature*

*First Regular Session and
First Special Session*

Bill Summaries

*Joint Standing Committee
on
Appropriations and Financial Affairs*

August 2005

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Maine State Legislature

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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

LD 1330 proposed to reduce state spending by approximately \$1,000,000 annually, commencing with fiscal year 2006-07. This resolve would require that the Governor identify and recommend for elimination to the Joint Standing Committee on Appropriations and Financial Affairs 8 politically appointed positions in State Government.

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

LD 1348 **An Act To Increase Funding for Meals on Wheels Program** **CARRIED OVER**

<u>Sponsor(s)</u>	<u>Committee Report</u>	<u>Amendments Adopted</u>
CAMPBELL NASS R	OTP-AM	H-279

LD 1348 proposed to appropriate funds to reimburse volunteers of meals on wheels programs for travel expenses.

Committee Amendment “A” (H-279) proposed to clarify the use and recipient of the appropriation.

This bill, and its adopted amendment, were carried over on the Special Appropriations Table by S. P. 640 to the next special or regular session of the 122nd Legislature.

LD 1369 **Resolve, Directing the Department of Administrative and Financial Services, Bureau of the Budget To Review Unfunded Mandates** **RESOLVE 30 EMERGENCY**

<u>Sponsor(s)</u>	<u>Committee Report</u>	<u>Amendments Adopted</u>
RINES ANDREWS	OTP-AM	H-260 H-286 FISCHER

LD 1369 proposed to direct the Department of Administrative and Financial Services, Bureau of the Budget to identify the unfunded state mandates placed on local and regional governmental entities that were enacted prior to November 23, 1992, the effective date of the Constitution of Maine, Article 9, Section 21, which limits the imposition of unfunded state mandates and to recommend legislation for reducing the burden of those mandates.

Committee Amendment “A” (H-260) proposed to change the agency responsible for the review of unfunded state mandates from the Department of Administrative and Financial Services, Bureau of the Budget to the Executive Department, State Planning Office. In addition, the amendment proposed to restrict the review to unfunded state mandates that pertain to municipalities.

House Amendment “A” To Committee Amendment “A” (H-286) proposed to change the agency responsible for the review of unfunded state mandates from the Executive Department, State Planning Office to the Intergovernmental Advisory Group.

Enacted law summary

Resolve 2005, chapter 30, section 1 directs the Intergovernmental Advisory Group to conduct a review of unfunded state mandates that pertain to municipalities, identify those mandates that were enacted prior to

Joint Standing Committee on Appropriations and Financial Affairs

November 23, 1992, prepare a list of those mandates that are considered by the affected units of government to be deserving of analysis and review and identify certain characteristics of the listed mandates.

Section 2 allows the Intergovernmental Advisory Group to seek information from a variety of sources that may be affected by the repeal, modification, redesign, enhanced coordination or delayed implementation of the mandate. Section 3 directs the Intergovernmental Advisory Group to report its findings and recommendations, including suggested legislation, to the Joint Standing Committee on State and Local Government and the Legislative Council by November 2, 2005. The Joint Standing Committee on State and Local Government may report out a bill to the Second Regular Session of the 122nd Legislature.

Chapter 30 was enacted as an emergency measure effective May 20, 2005.

LD 1511	An Act Regarding the Budget Process for the Legislative Youth Advisory Council	PUBLIC 414
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<u>Sponsor(s)</u>	<u>Committee Report</u>	<u>Amendments Adopted</u>
TRAHAN WESTON	OTP-AM	H-390 S-399 ROTUNDO

LD 1511 proposed to authorize the Legislative Council to seek outside sources of funding for the Legislative Youth Advisory Council and eliminate the requirement on the part of the Edmund S. Muskie School of Public Service to provide funding for the youth council. The bill also proposed to direct the youth council to prepare a budget with the help of the Executive Director of the Legislative Council, to be submitted to the Legislative Council.

Committee Amendment “A” (H-390) proposed to strike the provision that allow the Legislative Council to suspend staffing the Legislative Youth Advisory Council during periods when the Legislature is in regular or special session. In addition, the amendment proposed to add an Other Special Revenue allocation in the event outside funds are received to support the activities of the council.

Senate Amendment “A” To Committee Amendment “A” (S-399) proposed to provide that the staffing assistance provided by the Legislative Council to the Legislative Youth Advisory Council could be curtailed during periods when the Legislature was in regular or special session. The amendment also proposed to direct the Department of Education to transfer funds from funding that supports the Task Force on Citizenship Education that was established pursuant to Resolve 2003, chapter 143 to the Legislative Council.

Enacted law summary

Public Law 2005, chapter 414, Section 1 amends 3 MRSA §168-A, sub-§10 to reflect that staff assistance to the Legislative Youth Advisory Council will be provided by the Legislative Council rather than the Edmund S. Muskie School of Public Service and that the staff assistance may be curtailed during periods when the Legislature is in regular or special session.