

# 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  
State and Local Government*

*August 2005*

**Members:**

*Sen. Elizabeth M. Schneider, Chair  
Sen. Margaret Rotundo  
Sen. Mary Black Andrews*

*Rep. Christopher R. Barstow, Chair  
Rep. Sonya G. Sampson  
Rep. Richard D. Blanchard  
Rep. Charles William Harlow  
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Rep. Bradley S. Moulton  
Rep. Roberta M. Muse*

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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 State and Local Government

Resolve 2005, chapter 124 establishes the Committee to Study the Establishment of a Memorial for Emergency Medical Services Personnel. The resolve directs the committee to study issues and make recommendations regarding the establishment of a memorial to honor emergency medical services personnel who have fallen in the line of duty and others who have made significant contributions to the development of the statewide Maine emergency medical services system. The committee must submit its initial report to the Capitol Planning Commission by January 2, 2006 and the final report by March 1, 2006. The Capitol Planning Commission must submit its initial report to the Committee on State and Local Government by January 15, 2006 and its final report by March 15, 2006. If a suitable location for the emergency medical services memorial cannot be located within the memorial park, the memorial must be located in the area of the State House grounds adjacent to the memorials to firefighters and law enforcement personnel.

**LD 1536**                      **An Act To Reduce Property Taxes by Reforming County Government**                      **ONTP**

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

LD 1536 proposed to establish 8 county districts. It would empower the commissioners of a county district to impose an additional real estate transfer tax on the transfer of property contained in that county district; the first \$200,000 of the sales price would be exempt from the new tax. The revenue from the additional real estate transfer tax must be used to pay for police and record-keeping services for the county district.

The bill also proposed to allow a county district to transfer responsibility for every county jail located in that county district to the State by voting to pay an extra penny per dollar on the sales and use tax for sales in that county district. The revenue from the additional sales and use tax must be used to defray the costs of the Department of Corrections.

The bill also proposed to provide an appropriation of \$1,000,000, spread out over as many as 5 years, to a district county that comprises more than one county that combines the police and record-keeping services of the counties located in that county district.

The 8 county districts created by the bill are: county district 1, York County; county district 2, Cumberland County; county district 3, Androscoggin County, Oxford County and Franklin County; county district 4, Somerset County and Kennebec County; county district 5, Penobscot County and Piscataquis County; county district 6, Sagadahoc County, Lincoln County, Knox County and Waldo County; county district 7, Hancock County and Washington County; and county district 8, Aroostook County.

**LD 1537**                      **An Act To Repeal Certain Boards and Commissions**                      **PUBLIC 294**

<u>Sponsor(s)</u>	<u>Committee Report</u>	<u>Amendments Adopted</u>
	OTP-AM	H-378 H-469 BARSTOW

LD 1537 proposed to repeal the following boards and commissions that failed to file an annual report of activities with the Secretary of State for 2003 or 2004 or filed annual reports with the Secretary of State indicating inactivity in the preceding 24 months: Commission on Performance Budgeting; Consumer Health Care Division

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

Advisory Council; Council on Children and Families; Maine-Canadian Legislative Advisory Commission; Maine-New Hampshire Interstate Bridge Authority; Maine Potato Quality Control Board; Maine Regulatory Fairness Board; Massage Practitioners Advisory Council; Multistate Tax Compact; New England and Eastern Canada Legislative Commission; Nutrient Management Review Council; Participating Local District Advisory Committee, State Retirement Program; Petroleum Advisory Committee; Skill Standards Board; State Compensation Commission; State Conservation District Advisory Council. It also proposed to correct statutory references to implement the name change of the Maine Small Business Commission to the Maine Small Business and Entrepreneurship Commission.

**Committee Amendment "A" (H-378)** proposed to remove the following boards and commissions from the repeal list: State Compensation Commission; Maine-Canadian Legislative Advisory Commission; New England and Eastern Canada Legislative Commission; Commission on Performance Budgeting; Nutrient Management Review Board; Potato Marketing Improvement Committee; Natural Areas Advisory Board; Policy Review Council; State Conservation District Advisory Council; Participating Local District Advisory Committee, State Retirement Program; and the Maine-New Hampshire Interstate Bridge Authority. The amendment adds a section that removes obsolete language that refers to the Maine Revised Statutes, Title 19 that no longer exists. It also proposed to repeal the Multistate Tax Compact Advisory Committee, rather than the entire Multistate Tax Compact chapter in Title 36.

**House Amendment "A" (H-469)** proposed to remove the Prescription Drug Advisory Commission from the list of boards and commissions to be repealed.

### *Enacted law summary*

Public Law 2005, chapter 294 repeals the following boards and commissions that failed to file an annual report of activities with the Secretary of State for 2003 or 2004 or that filed annual reports with the Secretary of State indicating inactivity in the preceding 24 months: Consumer Health Care Division Advisory Council; Council on Children and Families; Maine Potato Quality Control Board; Maine Regulatory Fairness Board; Massage Practitioners Advisory Council; Multistate Tax Compact Advisory Committee; Petroleum Advisory Committee; and Skill Standards Board.

**LD 1624**

**An Act To Require State-owned and State-leased Property To Be Cleaned with Products That Are Not Harmful to the Environment or People**

**ONTP**

Sponsor(s)  
PERRY J

Committee Report  
ONTP

Amendments Adopted

LD 1624 proposed to require that the Department of Administrative and Financial Services adopt rules to provide for the use of only environmentally friendly and nontoxic cleaning products to clean all state-owned and state-leased properties by no later than July 1, 2010.