

Joint Standing Committee on State and Local Government

Committee Amendment "A" (H-631) was the minority report of the committee and proposed to replace the concept draft. It proposed to create the Municipal and Educational Mandate Audit Commission. As proposed, the 12-member commission consisted of members of the Legislature, representatives from the Department of Administrative and Financial Services, the Department of Education, the Department of Environmental Protection and the Department of Public Safety and representatives of municipal and county government, school administrative units and quasi-municipal special purpose districts. It proposed to charge the commission with identifying the state and federal mandates placed on local and regional governmental entities and recommending legislation for reducing the burden of those mandates.

LD 608 **An Act to Support Domestic Businesses in Publicly Funded Construction Projects** **INDEF PP**

<u>Sponsor(s)</u>	<u>Committee Report</u>	<u>Amendments Adopted</u>
ROTUNDO WALCOTT	OTP-AM MAJ ONTP MIN	S-386

LD 608 proposed to allow the Department of Administrative and Financial Services in awarding public improvement construction project contracts to give preference to domestic suppliers whose bids are within 15% of a bid of a foreign supplier. As proposed, this preference applied only to the extent permitted under federal law and international treaties signed by the United States.

Committee Amendment "A" (S-386) was the majority report of the committee. It proposed to limit the scope of the preference for domestic supplies to structural and miscellaneous steel fabrication products. The amendment proposed to clarify that the 15% price preference applies to projects involving state funding and to remove language regarding source disclosure. It also proposed to authorize the Department of Administrative and Financial Services to adopt routine technical rules defining "substantially fabricated" and establishing a process for certifying where the steel fabrication is done.

LD 942 **An Act To Create Guidelines To Promote Good Science in Rulemaking** **INDEF PP**

<u>Sponsor(s)</u>	<u>Committee Report</u>	<u>Amendments Adopted</u>
SAVIELLO WOODCOCK	OTP-AM MAJ ONTP MIN	

LD 942 proposed to require state agencies to establish standards of objectivity, utility and integrity for information used and relied upon in conducting rule-making proceedings under the Maine Administrative Procedure Act.

Committee Amendment "A" (H-767) was the majority report and proposed to replace the bill. It proposed to require state agencies to make available to the public the primary sources of information that support the primary provisions in proposed rules.

It also proposed to require that at least 20 days prior to a public hearing on a proposed rule, the agency must provide a list of primary sources of information to an individual upon request. This amendment was not adopted.

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Senate Amendment "A" to Committee Amendment "A" (S-456) proposed to decrease from 20 days to 10 days the time by which an agency must provide a list of the primary sources of information relied on by the agency in establishing the primary provisions of a proposed rule. This amendment also proposed to clarify that the primary sources of information required to be provided by the agency are determined by the agency. This amendment was not adopted.

LD 962 **An Act to Consolidate the Advocacies of the Various State Agencies into an Executive Department and Establish the Office of Inspector General** **ONTP**

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

LD 962, a concept draft pursuant to Joint Rule 208, proposed to consolidate the advocacies of the various state agencies into an executive department. As proposed, the executive department would have assumed any public advocacy responsibilities currently assigned to other agencies of State Government.

The bill also proposed to establish the Office of Inspector General to investigate governmental abuse of funds, written policy and procedures and violation of the law within the various state departments. As proposed, the executive advocacy department would have overseen the operations and personnel of the Office of the Inspector General.

LD 965 **Resolve, to Create a Task Force to Implement the 1991 Report of the President's and Speaker's Blue Ribbon Commission on Children and Families** **ONTP**

<u>Sponsor(s)</u>	<u>Committee Report</u>	<u>Amendments Adopted</u>
O'BRIEN J	ONTP	

LD 965 proposed to create the Task Force to Implement the 1991 Report of the President's and Speaker's Blue Ribbon Commission on Children and Families. Under the proposed bill, the task force's membership would consist of the Speaker of the House, the President of the Senate and the House and Senate majority and minority leaders. As proposed, the task force would be required to report to the joint standing committee of the Legislature having jurisdiction over state and local government matters by November 3, 2003.

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LD 1332 **An Act To Recognize the Maine Rural Development Council** **ONTP**

<u>Sponsor(s)</u> DAMON		<u>Committee Report</u> ONTP		<u>Amendments Adopted</u>
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LD 1332 proposed to establish the Maine Rural Development Council in statute and designate it as the entity authorized to participate in the National Rural Development Partnership.

LD 1393 **An Act To Provide for Meaningful Public Input in the Maine Administrative Procedure Act** **ONTP**

<u>Sponsor(s)</u> MCLAUGHLIN NASS		<u>Committee Report</u> ONTP		<u>Amendments Adopted</u>
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LD 1393 proposed to amend the rule-making process to clarify the intent of the Legislature to require agencies to consider the full impact of the rules, both substantively and financially, on the State, agencies, providers of services through state contracts and consumers of those services. The provisions of this bill proposed to require a detailed analysis of the impacts at the time of the proposal, consideration and adoption of any proposed rule.

LD 1504 **An Act To Clarify the Work Center Purchases Committee Requirements for Work Centers and Competitive Bidding** **PUBLIC 515**

<u>Sponsor(s)</u> MCLAUGHLIN ROTUNDO		<u>Committee Report</u> OTP		<u>Amendments Adopted</u>
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LD 1504 proposed to clarify the Work Center Purchases Committee requirements for work centers and competitive bidding.

Enacted Law Summary

Public Law 2003, chapter 515 clarifies the Work Center Purchases Committee requirements for work centers and competitive bidding. Specifically, it does the following:

1. Changes the term “Disabled Persons” to “Persons with Disabilities”;
2. Includes a new option for entities to become certified as work centers;
3. Updates language to identify the current positions responsible for the Work Center Purchases Committee. The term “State Purchasing Agent” is replaced with “Director of the Bureau of General Services”; and

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4. Authorizes the committee to develop procedures to grant contract extensions. Currently, contracts are awarded through an annual competitive bid process.

LD 1637

**An Act To Provide a Clear Transition for the County
Commissioner Districts as Apportioned by Public Law 2003,
Chapter 43 and as Codified by Public Law 2003, Chapter 291**

**PUBLIC 508
EMERGENCY**

Sponsor(s)
GAGNON
CLARK

Committee Report

Amendments Adopted

LD 1637 proposed to clarify that county commissioner positions with terms that expire in 2004 will be filled by candidates running for those offices in the newly apportioned county commissioner districts. The makeup of all districts for county commissioner will change beginning on January 1, 2005.

LD 1637 was engrossed without reference to committee at the First Special Session of the 121st Legislature in August 2003.

Enacted Law Summary

Public Law 2003, chapter 508 clarifies that county commissioner positions with terms that expire in 2004 will be filled by candidates running for those offices in the newly apportioned county commissioner districts. The makeup of all districts for county commissioner will change beginning on January 1, 2005.

Public Law 2003, chapter 508 was enacted as an emergency measure effective August 26, 2003.

LD 1653

An Act To Authorize the Town of Verona To Change Its Name

**PUBLIC 534
EMERGENCY**

Sponsor(s)
YOUNGBLOOD
CHURCHILL E

Committee Report
OTP-AM

Amendments Adopted
S-381

LD 1653 proposed to change the name of the Town of Verona to "Town of Verona Island." A referendum is scheduled to be held before January 1, 2005 for approval by the residents of Verona.

Committee Amendment "A" (S-381) proposed to add an emergency preamble and emergency clause to the bill. This amendment also proposed to remove that section of the bill that amends a senatorial district as it existed prior to the redistricting effected by the Supreme Judicial Court.

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Enacted Law Summary

Public Law 2003, chapter 534 authorizes the residents of Verona to change the town name from "Town of Verona" to "Town of Verona Island." A referendum is scheduled to be held before January 1, 2005 for approval by the residents of Verona.

Public Law 2003, chapter 534 was enacted as an emergency measure effective March 5, 2004.

LD 1671

An Act To Authorize the Deorganization of the Town of Atkinson

ONTP

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

LD 1671 proposed to authorize the deorganization of the Town of Atkinson if, in accordance with the Maine Revised Statutes, Title 30-A, section 7207, a majority of the voters in the town approves the deorganization procedure developed in accordance with Title 30-A, section 7205 and if the deorganization is approved by the voters of the town at the next statewide election to be held in November.

Committee Amendment "A" (H-768) was the majority report and proposed to clarify that if Hospital District No. 4 defaults on bonds issued and outstanding prior to the effective date of the proposed deorganization, the State Tax Assessor is required to assess a supplemental tax on owners of nonexempt property in Atkinson Township for the proportional share of bond liability in default. The Town of Atkinson is currently a member of Hospital District No. 4. If the Town of Atkinson deorganizes, it will no longer be a member of Hospital District No. 4, but pursuant to the approved deorganization procedure and this Act, it will remain liable for its share of bonded indebtedness. This amendment was not adopted.

House Amendment "A" (H-802) proposed to provide that the Commissioner of Education may pay tuition for an elementary school student from Atkinson Township to attend an elementary school outside of School Administrative District No. 41 only with the consent of the Superintendent of School Administrative District No. 41. This amendment was not adopted.

Senate Amendment "A" (S-479) proposed to provide that the Commissioner of Education may pay tuition for an elementary school student from Atkinson Township to attend an elementary school outside of School Administrative District No. 41 only with the consent of the Superintendent of School Administrative District No. 41. This amendment was not adopted.

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LD 1686

An Act To Encourage Cost Savings by State Employees

PUBLIC 692

<u>Sponsor(s)</u>	<u>Committee Report</u>	<u>Amendments Adopted</u>
DAGGETT	OTP-AM MAJ	H-765 SAMPSON
MOODY	OTP-AM MIN	S-409

LD 1686 proposed to establish the Employee Suggestion System, whereby state employees in classified service are eligible for cash or honorary awards for suggestions that would result in substantial savings or improvements or efficiencies in state operations. A cash award would be limited to 10% of the first year's estimated saving, up to a cap of \$2,000. This legislation is modeled on law that was repealed in 1995.

Committee Amendment "A" (S-409) was the majority report and proposed to clarify that the Employee Suggestion System Board has exclusive authority to make awards and all decisions are final. It proposed to require the board to forward all suggestions to the Office of Program Evaluation and Government Accountability a minimum of 2 times per year. It proposed to permit the board to establish administrative fees through the rule-making process. The amendment also proposed to add an effective date of January 1, 2005.

Committee Amendment "B" (S-410) proposed to replace the bill and was the minority report. It proposed to direct the Office of Program Evaluation and Government Accountability to review a proposal to create the Employee Suggestion System and report back to the joint standing committee of the Legislature having jurisdiction over state and local government matters with recommendations on development and implementation of this program. This amendment was not adopted.

House Amendment "A" (H-765) proposed to add a provision that prohibits discrimination against an employee who suggests savings or efficiencies in good faith under the Employee Suggestion System and, if discrimination occurs, provides remedies available under the Whistleblowers' Protection Act.

House Amendment "B" (H-803) proposed to make the following changes to the statutes governing the Office of Program Evaluation and Government Accountability, or OPEGA:

1. Authorize the legislative oversight committee to direct OPEGA to conduct evaluations of local government, quasi-municipal entities and municipal or nonprofit corporations when determined necessary by the committee and to examine expenditures of private money by public officials or employees.
2. Remove language concerning the Department of Audit from the subsection that defines program evaluation and instead enact language under the duties of the committee to give the committee the discretion to request that the department conduct an examination or, if the department is unable to perform the examination in a timely manner, to direct OPEGA to obtain the services of a qualified auditor.
3. Clarify what information is made available to the committee and to OPEGA.
4. Require the director and employees of OPEGA to be nonpartisan.

This amendment was not adopted.

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Senate Amendment "A" (S-505) proposed to make the following changes to the statutes governing the Office of Program Evaluation and Government Accountability, or OPEGA:

1. Authorize the legislative oversight committee to direct OPEGA to conduct evaluations of local government, quasi-municipal entities and municipal or nonprofit corporations when determined necessary by the committee and to examine expenditures of private money by public officials or employees.
2. Remove language concerning the Department of Audit from the subsection that defines program evaluation and instead enact language under the duties of the committee to give the committee the discretion to request that the department conduct an examination or, if the department is unable to perform the examination in a timely manner, to direct OPEGA to obtain the services of a qualified auditor.
3. Clarify what information is made available to the committee and to OPEGA.
5. Require the director and employees of OPEGA to be nonpartisan.

This amendment was not adopted.

Enacted Law Summary

Public Law 2003, chapter 692 establishes the Employee Suggestion System, whereby state employees in classified service are eligible for cash or honorary awards for suggestions that would result in substantial savings or improvements or efficiencies in state operations. A cash award would be limited to 10% of the first year's estimated savings, up to a cap of \$2,000. The law also requires the board to forward all employee suggestions to the Office of Program Evaluation and Government Accountability a minimum of 2 times per year. This legislation is modeled on law that was repealed in 1995.

LD 1725

Resolve, To Commission a Portrait of the Honorable George J. Mitchell To Hang in the State House

RESOLVE 142

<u>Sponsor(s)</u>	<u>Committee Report</u>	<u>Amendments Adopted</u>
DAGGETT	OTP-AM MAJ	S-365
COLWELL	ONTP MIN	S-577 CATHCART

LD 1725 proposed to commission a portrait of the Honorable George J. Mitchell to hang in the State House. It also proposed to add an appropriations section to the resolve and change the punctuation accordingly.

Committee Amendment "A" (S-365)

Senate Amendment "A" to Committee Amendment "A" (S-577) proposed to authorize the State House and Capitol Park Commission to seek and accept outside sources of funding to commission a portrait of the Honorable George J. Mitchell.

Enacted Law Summary

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Resolve 2003, chapter 142 commissions a portrait of the Honorable George J. Mitchell to hang in the State House. This resolve also authorizes the State House and Capitol Park Commission to seek and accept outside sources of funding to commission a portrait of the Honorable George J. Mitchell.

LD 1777

**An Act To Authorize the Commissioner of Administrative and
Financial Services To Execute Easements**

PUBLIC 539

<u>Sponsor(s)</u>	<u>Committee Report</u>	<u>Amendments Adopted</u>
MCLAUGHLIN	OTP-AM	H-668 H-716 MCLAUGHLIN

LD 1777 proposed to authorize the Commissioner of Administrative and Financial Services to execute easement deeds, such as routine and technical utility easements, as these are needed on a regular basis. Pursuant to Resolve 1999, chapter 97, the commissioner held this authority from August 11, 2000 to August 11, 2003. This bill proposed to reinstate that authority until August 1, 2006.

Committee Amendment "A" (H-668) proposed to clarify that the Commissioner of Administrative and Financial Services is authorized to execute easement deeds in property held by state agencies over which the Department of Administrative and Financial Services has jurisdiction, such as routine and technical utility easements, as these are needed on a regular basis. It also proposed to remove the provision that terminates this authority on August 1, 2006.

House Amendment "A" (H-716) proposed to clarify that the power granted to the Commissioner of Administrative and Financial Services in the bill to issue or receive nonfee interests in state lands does not apply to state park lands protected by the Constitution of Maine.

Enacted Law Summary

Public Law 2003, chapter 539 authorizes the Commissioner of Administrative and Financial Services to execute easement deeds in property held by state agencies over which the Department of Administrative and Financial Services has jurisdiction, such as routine and technical utility easements, as these are needed on a regular basis. Pursuant to Resolve 1999, chapter 97, the commissioner held this authority from August 11, 2000 to August 11, 2003.

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LD 1779

An Act Concerning the Boundary Line of the Town of Unity

P & S 37

<u>Sponsor(s)</u>	<u>Committee Report</u>	<u>Amendments Adopted</u>
PIOTTI WESTON	OTP	

LD 1779 proposed to reestablish the boundary line for the Town of Unity based on a recent survey.

Enacted Law Summary

Private and Special Law 2003, chapter 37 reestablishes the boundary line for the Town of Unity based on a recent survey.

LD 1780

Resolve, To Promote Transparency in Budgeting

RESOLVE 133

<u>Sponsor(s)</u>	<u>Committee Report</u>	<u>Amendments Adopted</u>
COLWELL ROTUNDO	OTP-AM MAJ ONTP MIN	H-807

LD 1780 proposed to requires municipalities to submit copies of their annual budgets to the State Planning Office, which would compile the information and make it available on a publicly accessible site on the Internet. Under the proposed bill, a municipality that failed to submit a copy of its budget as required would be ineligible to receive funds under state-municipal revenue sharing.

Committee Amendment "A" (H-807) proposed to replace the bill with a resolve and direct the office of the Chief Information Officer within the Department of Administrative and Financial Services, the Executive Department, State Planning Office and the Department of Audit to create a publicly accessible site on the Internet through a pilot project that would include voluntary submission by municipalities and counties of their budgets. It proposed to require those entities to invite a representative of the Maine Municipal Association to take part in the development of the pilot project. It also proposed to require the lead agency to report to the joint standing committee of the Legislature having jurisdiction over state and local government matters by January 14, 2005 with recommendations on creating a permanent publicly accessible site on the Internet for this purpose.

Enacted Law Summary

Resolve 2003, chapter 133 directs the office of the Chief Information Officer within the Department of Administrative and Financial Services, the Executive Department, State Planning Office and the Department of Audit to create a publicly accessible site on the Internet through a pilot project that includes voluntary submission by municipalities and counties of their budgets. It requires those entities to invite a representative of the Maine Municipal Association to take part in the development of the pilot project. This resolve also requires the lead agency to report to the joint standing committee of the Legislature having jurisdiction over state and local government matters by January 14, 2005 with recommendations on creating a permanent publicly accessible site on the Internet for this purpose.

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LD 1783

An Act To Clarify Prequalification Criteria for Public Improvements

PUBLIC 589

<u>Sponsor(s)</u>	<u>Committee Report</u>	<u>Amendments Adopted</u>
MCLAUGHLIN	OTP-AM	H-666 S-428 ROTUNDO

LD 1783 proposed to clarify the definition of a contractor's "resources" by incorporating financial capacity, legal capacity, bonding capacity and relevant prior experience at the time of prebid qualification with projects of similar size, type and schedule. The bill further proposed to clarify that the decision of the Commissioner of Administrative and Financial Services on appeal is final, notwithstanding subchapter 7 of the Maine Administrative Procedure Act.

Committee Amendment "A" (H-666) proposed to clarify the definition of a contractor's "resources" by allowing the Director of the Bureau of General Services to consider a contractor's prior experience with projects of similar size and type at the time of prebid qualification. The amendment also proposed to remove the reference in the original bill that clarified that the decision of the Commissioner of Administrative and Financial Services on appeal is final, notwithstanding subchapter 7 of the Maine Administrative Procedure Act.

House Amendment "A" to Committee Amendment "A" (H-735) proposed to further clarify how a contractor's resources are evaluated by allowing the Director of the Bureau of General Services within the Department of Administrative and Financial Services to consider a contractor's prior experience, including any significant disparity in the size and type of a prior project or projects compared to the project under consideration, at the time of prebid qualification.

Senate Amendment "A" to Committee Amendment "A" (S-428) proposed to further clarify how a contractor's resources are evaluated by allowing the Director of the Bureau of General Services within the Department of Administrative and Financial Services to consider a contractor's prior experience, including any significant disparity between the size and type of prior projects and the project or projects under consideration at the time of prebid qualification.

Enacted Law Summary

Public Law 2003, chapter 589 clarifies how a contractor's resources are evaluated. Specifically, it allows the Director of the Bureau of General Services within the Department of Administrative and Financial Services to consider a contractor's prior experience, including any significant disparity between the size and type of prior projects and the project or projects under consideration at the time of prebid qualification.

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LD 1784

Resolve, Authorizing the Commissioner of Administrative and Financial Services To Sell or Lease the Interests of the State in Property in Fayette, Maine

RESOLVE 105

<u>Sponsor(s)</u> MCLAUGHLIN		<u>Committee Report</u> OTP-AM		<u>Amendments Adopted</u> H-667
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LD 1784 proposed to authorize the Commissioner of Administrative and Financial Services to sell one acre of land, more or less, near but not adjacent to the Baldwin Hill Road in Fayette and described in deed recorded at the Registry of Deeds of the County of Kennebec, State of Maine in Book 1053, Pages 3 and 4. This resolve would reauthorize the sale of that property for an additional period of 3 years.

Enacted Law Summary

Resolve 2003, chapter 105 reauthorizes the sale of state property in Fayette for an additional period of 3 years. This property, which was originally authorized to be sold by Resolve 1999, chapter 56, was repealed by its own terms on September 18, 2002. Resolve 1999, chapter 56 authorized the Commissioner of Administrative and Financial Services to sell one acre of land, more or less, near but not adjacent to the Baldwin Hill Road in Fayette and described in a deed recorded at the Registry of Deeds of the County of Kennebec, State of Maine in Book 1053, Pages 3 and 4.

LD 1785

Resolve, Authorizing the Commissioner of Administrative and Financial Services To Sell or Lease the Interests of the State in Certain Real Estate in Presque Isle, Known as the "Aroostook Residential Center"

RESOLVE 146

<u>Sponsor(s)</u> FISCHER		<u>Committee Report</u> OTP-AM MAJ ONTP MIN		<u>Amendments Adopted</u> H-696 S-585 MARTIN
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LD 1785 proposed to authorize 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. Under the proposed bill, 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 in Aroostook County.

Committee Amendment "A" (H-696) proposed to incorporate a fiscal note.

Senate Amendment "A" (S-457) proposed to remove the provisions of the resolve that would require the land to be offered to social services agencies in Aroostook County if the Central Aroostook Association for Retarded Citizens, Inc., or "CAARC," does not elect to purchase the property. The amendment proposed to require that, if CAARC does elect to purchase the property, CAARC must use the property for nonprofit purposes; failure to do so would cause the property to revert to the State.

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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>
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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**

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

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LD 1872

An Act To Extend the Deadline for Reconsideration by Boards of Appeals

PUBLIC 635

<u>Sponsor(s)</u>	<u>Committee Report</u>	<u>Amendments Adopted</u>
MITCHELL MCGOWAN	OTP-AM	S-444

LD 1872 proposed to require a request to reconsider a decision to be filed within 20 days of the decision and extend the time for the board to reconsider the decision to 60 days. Current law requires a decision of a board of appeals to be appealed within 30 days of the decision.

Committee Amendment "A" (S-444) proposed to change the time period for a request to a board of appeals to reconsider a decision to within 10 days of the decision and extend the time for the board to reconsider the decision to 45 days. It also proposed to require that any party that chooses to appeal a reconsidered decision have 15 days from the date of the reconsidered decision to appeal the decision to Superior Court.

Enacted Law Summary

Public Law 2003, chapter 635 requires a request to a board of appeals to reconsider a decision to be filed within 10 days of the decision and extends the time for the board to reconsider the decision to 45 days. It also requires that any party that chooses to appeal a reconsidered decision have 15 days from the date of the reconsidered decision to appeal the decision to Superior Court.

LD 1873

An Act To Amend the Requirements for Status as Publisher of Legal Notices

ONTP

<u>Sponsor(s)</u>	<u>Committee Report</u>	<u>Amendments Adopted</u>
MITCHELL MCGOWAN	ONTP MAJ OTP-AM MIN	

LD 1873 proposed to remove the requirement that a newspaper be mailed as 2nd-class postal matter in the United States mails in order to qualify as a medium for the publication of legal notices and legal advertising.

Committee Amendment "A" (S-459) was the minority report of the committee and proposed to update language by changing the term "2nd class" to "periodical." It also proposed to permit a municipality to publish notices in a newspaper that is mailed as 3rd class mail if the legislative body approves use of the newspaper for that purpose, the newspaper meets other standards of existing law, the municipality retains a record of all published notices and the publisher of the newspaper has an archival system.

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LD 1896

Resolve, Authorizing the Town of Eustis To Exchange a Certain Parcel of Land

RESOLVE 122

<u>Sponsor(s)</u>	<u>Committee Report</u>	<u>Amendments Adopted</u>
JODREY WOODCOCK	OTP	

LD 1896 proposed to authorize the Town of Eustis to exchange a parcel of land owned by the Town of Eustis for a parcel of land owned by SP Forests, LLC.

Enacted Law Summary

Resolve 2003, chapter 122 authorizes the Town of Eustis to exchange a parcel of land owned by the Town of Eustis for a parcel of land owned by SP Forests, LLC.

LD 1925

An Act To Change the Names of Certain Townships in the Unorganized Territory

**P & S 46
EMERGENCY**

<u>Sponsor(s)</u>	<u>Committee Report</u>	<u>Amendments Adopted</u>
PARADIS MARTIN	OTP-AM	H-812 S-492 STANLEY

LD 1925 proposed to authorize the Aroostook County commissioners to seek approval from the residents of Township 17, Range 5, WELS, to rename the township Cross Lake.

Committee Amendment "A (H-812) proposed to add a mandate preamble to the bill.

Senate Amendment "A" (S-492) proposed to authorize the Piscataquis County commissioners to seek approval from the residents of Township 5, Range 9, NWP, to rename the township Ebeemee.

Enacted Law Summary

Private and Special Law 2003, chapter 46 authorizes the Aroostook County commissioners to seek approval from the residents of Township 17, Range 5, WELS, to rename the township Cross Lake. It also authorizes the Piscataquis County commissioners to seek approval from the residents of Township 5, Range 9, NWP, to rename the township Ebeemee.

Private and Special Law 2003, chapter 46 was enacted as an emergency measure effective April 22, 2004.

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LD 1926

An Act To Implement the Recommendations of the Joint Standing Committee on State and Local Government Pursuant to the State Government Evaluation Act

PUBLIC 600

Sponsor(s)

Committee Report

Amendments Adopted

LD 1926 proposed to implement the recommendations of the committee regarding the State Government Evaluation Act. It proposed to amend the State Government Evaluation Act by setting new dates for agency reviews. The bill proposed to require a designated agency employee to notify the State Controller immediately when a nonstate entity requests access to agency accounting records. It also proposed to change the name of the Department of Administration and Financial Services, Bureau of Accounts and Control to Office of the State Controller.

Enacted Law Summary

Public Law 2003, chapter 600 implements the recommendations of the committee regarding the State Government Evaluation Act. It amends the State Government Evaluation Act by setting new dates for agency reviews. It also requires a designated agency employee to notify the State Controller immediately when a nonstate entity requests access to agency accounting records. The law also changes the name of the Department of Administration and Financial Services, Bureau of Accounts and Control to Office of the State Controller.

LD 1941

An Act To Authorize the Town of Millinocket To Annex a Certain Parcel of Land

ONTP

Sponsor(s)

STANLEY
DUPREY G

Committee Report

ONTP

Amendments Adopted

LD 1941 proposed to allow the Town of Millinocket to annex land located in part of Township 3, Indian Purchase in Penobscot County.

LD 1950

An Act To Repeal Certain Boards and Commissions

PUBLIC 643

Sponsor(s)

Committee Report

OTP

Amendments Adopted

LD 1950 proposed to repeal boards and commissions that failed to file an annual report of activities with the Secretary of State for 2002 and 2003. Additionally, this bill proposed to repeal boards and commissions that filed

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annual reports with the Secretary of State indicating inactivity in the preceding 24 months. As proposed, the boards and commissions designated to be repealed included the following:

1. Maine Governmental Information Network Board;
2. Maine Committee for Global and Geographic Education;
3. Commission on Investment Capital;
4. Certificate of Need Advisory Committee; and
5. New England Interstate Planning Commission.

It also proposed to designate that certain boards and commissions are not required to file an annual report if those boards or commissions are inactive, and direct the Secretary of State to exempt them from inclusion in the legislation repealing boards and commissions.

Enacted Law Summary

Public Law 2003, chapter 643 repeals the following boards and commissions that failed to file an annual report of activities with the Secretary of State or indicated inactivity in the preceding 24 months:

1. Maine Governmental Information Network Board;
2. Maine Committee for Global and Geographic Education;
3. Commission on Investment Capital;
4. Certificate of Need Advisory Committee; and
5. New England Interstate Planning Commission.

This law also designates that certain boards and commissions are not required to file an annual report if those boards or commissions are inactive, and directs the Secretary of State to exempt them from inclusion in the legislation repealing boards and commissions.

LD 1961

An Act To Clarify Legislative Pay

PUBLIC 691

Sponsor(s)
TREAT
COLWELL

Committee Report

Amendments Adopted
S-544 GAGNON

LD 1961 proposed to eliminate the per diem compensation payment for attendance at any special session of the Legislature that convenes prior to the statutory adjournment date. This bill would apply retroactively to January 30, 2004.

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House Amendment "A" (H-948) proposed to provide that the nonpayment of special session per diem applies only until the statutory adjournment date of the regular session that immediately preceded the special session. It proposed that if the special session extends beyond the statutory adjournment date of the regular session, then Legislators would be entitled to the special session per diem.

This amendment also proposed to require that any special session per diem not paid because the special session was held prior to the statutory adjournment date for a regular session must be used to construct and maintain a Maine veterans memorial cemetery in Springvale. It proposed that if there was any revenue left, it must be allocated to the Maine Military Family Relief Fund, as established in this amendment.

House Amendment "B" (H-949) proposed to provide that the nonpayment of special session per diem apply only until the statutory adjournment date of the regular session during which the special session is held. It proposed that if the special session extends beyond the statutory adjournment date of the regular session, then Legislators would be entitled to the special session per diem.

This amendment also proposed to require that any special session per diem not paid because the special session was held prior to the statutory adjournment date for a regular session must be paid to the Maine Budget Stabilization Fund.

Senate Amendment "A" (S-540) proposed to direct that \$770,000 of unencumbered balance in the Legislative account lapse to the General Fund in fiscal year 2003-04.

Senate Amendment "B" (S-541) proposed to remove the retroactivity clause.

Senate Amendment "C" (S-542) proposed to repeal the automatic cost-of-living adjustment in the annual legislative salary, but maintain the legislative salary at its current level to reflect cost-of-living adjustments applied in previous years.

This amendment also proposed to provide that the nonpayment of special session per diem applies only until the statutory adjournment date of the regular session that immediately preceded the special session. It proposed that if the special session extends beyond the statutory adjournment date of the regular session, then Legislators would be entitled to the special session per diem.

Senate Amendment "D" (S-544) proposed to remove the emergency preamble and the emergency clause.

Enacted Law Summary

Public Law 2003, chapter 691 eliminates the per diem compensation payment for attendance at any special session of the Legislature that convenes prior to the statutory adjournment date. This bill applies retroactively to January 30, 2004.

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LD 1963

**An Act To Provide a Consistent Deadline for Filing
Regulatory Agendas**

**DIED BETWEEN
BODIES**

Sponsor(s)
DAGGETT

Committee Report

Amendments Adopted

LD 1963 proposed to change the deadline for state agencies to file an annual regulatory agenda to a date certain of October 1st instead of the current deadline of 100 days after the end of a regular legislative session.

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