

# MAINE STATE LEGISLATURE

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*State Of Maine  
122nd Legislature*

*Second Regular Session*

*Bill Summaries*

*Joint Standing Committee  
on  
State and Local Government*

*July 2006*

**Members:**

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

*Rep. Christopher R. Barstow, Chair  
Rep. Richard D. Blanchard  
Rep. Charles William Harlow  
Rep. James M. Schatz  
Rep. Robert H. Crosthwaite  
Rep. George R. Bishop, Jr.  
Rep. Howard E. McFadden  
Rep. Bradley S. Moulton  
Rep. Roberta M. Muse  
Rep. William P. Browne*

**Staff:**

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# Maine State Legislature



## Office of Policy and Legal Analysis Office of Fiscal and Program Review

### 122nd Maine Legislature Second Regular 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 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](http://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 (Pocket Veto).....	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 August 23, 2006.

*Joint Standing Committee on State and Local Government*

**LD 2030**

**An Act To Authorize the Deorganization of the Town of Cooper**

**ONTP**

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

LD 2030 proposed to provide for the deorganization of the Town of Cooper in Washington County, subject to approval at local referendum.

**Senate Amendment "A" (S-505)** proposed to require the deorganization of the Town of Cooper to be in accordance with the deorganization plan updated on February 1, 2006. It also proposed to clarify that pupils in Cooper attend schools in Alexander for kindergarten to grade 8 and Woodland High School in Baileyville for secondary school.

**LD 2063**

**An Act To Clarify the Use of Dedicated Funds for the Preservation of Deeds Records**

**PUBLIC 584**

<u>Sponsor(s)</u>	<u>Committee Report</u>	<u>Amendments Adopted</u>
SCHNEIDER	OTP-AM	S-538

LD 2063 proposed to clarify that the records preservation surcharge may not be used for initial recording of documents recorded in the office of the register of deeds. The bill proposed to require any county that has used the dedicated surcharge for a purpose other than restoration, re-creation or preservation to return the revenue to its dedicated account. Any expenditure from the account would be authorized by the Register of Deeds to ensure the use for its intended purpose.

**Committee Amendment "A" (S-538)** proposed to remove the requirement that the Register of Deeds authorize expenditures from the preservation surcharge account. It also proposed that any county that uses the dedicated surcharge for a purpose other than restoration, re-creation or preservation of deeds has committed a civil violation that results in a fine of \$100 a day from the date the money was withdrawn to the date it is restored. Fines would be paid out of the county budget and placed in the records preservation surcharge account.

***Enacted law summary***

Public Law 2005, chapter 584 clarifies that the records preservation surcharge may not be used for initial recording of documents. It provides that any county that uses the dedicated surcharge for a purpose other than restoration, re-creation or preservation of deeds in the office of the register of deeds has committed a civil violation that results in a fine of \$100 a day from the date the money was withdrawn to the date it is restored. Fines must be paid out of the county budget and placed in the records preservation charge account.