

MAINE STATE LEGISLATURE

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STATE OF MAINE
123RD LEGISLATURE
FIRST REGULAR SESSION



Summaries of bills and adopted amendments and laws enacted or finally passed during the First Regular Session of the 123rd Maine Legislature coming from the

JOINT STANDING COMMITTEE ON STATE AND LOCAL GOVERNMENT

July 2007

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STATE OF MAINE

123RD LEGISLATURE

FIRST REGULAR SESSION

LEGISLATIVE DIGEST OF BILL SUMMARIES AND ENACTED LAWS



This *Legislative Digest of Bill Summaries and Enacted Laws* summarizes all bills and adopted amendments and all laws enacted or finally passed during the First Regular Session of the 123rd Maine Legislature, which was in session from December 6, 2006 to June 21, 2007.

The *Digest* is arranged alphabetically by committee, and within each committee by LD number. The committee report(s), prime sponsor and lead co-sponsor(s), if designated, are listed below each bill title. All adopted amendments are summarized and listed by paper number. A subject index is included with each committee. The appendices include a summary of relevant session statistics, an index of all bills by LD number and an index of enacted laws by law type and chapter number.

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 (or Accepted ONTP report).....	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.....	Bill held by Governor
VETO SUSTAINED.....	Legislature failed to override Governor's Veto

Please note that the effective date for non-emergency legislation enacted in the First Regular Session is **September 20, 2007**. The effective date for legislation enacted as an emergency measure is specified in the enacted law summary for those bills.

Joint Standing Committee on State and Local Government

and clarifies language regarding funding of online initiatives.

Enacted Law Summary

Public Law 2007, chapter 37 changes references to the Bureau of Information Services to the Office of Information Technology, reassigns responsibility for the Business Licensing Assistant program to the Office of Information Technology and clarifies language regarding funding of online initiatives.

LD 702 An Act To Allow Municipalities To Establish Foundations To Support Education

PUBLIC 405

<u>Sponsor(s)</u>	<u>Committee Report</u>	<u>Amendments Adopted</u>
HOLMAN MCCORMICK	OTP	

LD 702 authorizes the establishment of municipal education foundations to support education. It directs the Executive Department, State Planning Office to establish a template for municipalities to use to establish a foundation and authorizes municipalities to accept funds to endow the municipal education foundations.

Enacted Law Summary

Public Law 2007, chapter 405 authorizes the establishment of municipal education foundations to support education. It directs the Executive Department, State Planning Office to establish a template for municipalities to use to establish a foundation and authorizes municipalities to accept funds to endow the municipal education foundations.

LD 715 An Act To Disclose Legislative Spending

ONTP

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

LD 715 requires a detailed, line-item disclosure of the money spent by the Legislature to be posted on the Legislature's publicly accessible website along with comparative data from other rural states' legislatures.

LD 734 An Act To Improve Public Understanding in Rulemaking

ONTP

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

LD 734 requires a rule-making agency to make its principal source of information for a rule available to the public.

LD 785 An Act To Promote Green Power Use at State Buildings

PUBLIC 52

<u>Sponsor(s)</u>	<u>Committee Report</u>	<u>Amendments Adopted</u>
PIOTTI	OTP-AM	H-41

Joint Standing Committee on State and Local Government

LD 785 requires that by January 1, 2010 all electricity consumed in state-owned or state-leased buildings be supplied by renewable resources. It requires the chair of the Energy Resources Council to develop a plan to achieve this requirement and to submit that plan to the Joint Standing Committee on Utilities and Energy and the Joint Standing Committee on State and Local Government by April 1, 2008.

Committee Amendment "A" (H-41)

This amendment removes the requirement that state-leased buildings must consume electricity from renewable resources by 2010. The chair of the Energy Resources Council and the Director of the Bureau of General Services within the Department of Administrative and Financial Services must develop a plan to increase the use of electricity from renewable resources in state-leased buildings. The plan must include a specific goal, strategies to increase the use of electricity from renewable resources and a requirement for newly leased space to be supplied with power from renewable resources. In addition, the plan must examine the extent to which state-owned and state-leased buildings are heated using renewable resources and strategies to increase that. The plan must be submitted to the Joint Standing Committee on Utilities and Energy and the Joint Standing Committee on State and Local Government by December 15, 2007. The Joint Standing Committee on State and Local Government is authorized to submit legislation.

Enacted Law Summary

Public Law 2007, chapter 52 requires that by January 1, 2010 all electricity consumed in state-owned buildings be supplied by renewable resources. The chair of the Energy Resources Council and the Director of the Bureau of General Services within the Department of Administrative and Financial Services must develop a plan to increase the use of electricity from renewable resources in state-leased buildings. The plan must include a specific goal, strategies to increase the use of electricity from renewable resources and a requirement for newly leased space to be supplied with power from renewable resources. In addition, the plan must examine the extent to which state-owned and state-leased buildings are heated using renewable resources and strategies to increase that. The plan must be submitted to the Joint Standing Committee on Utilities and Energy and the Joint Standing Committee on State and Local Government by December 15, 2007. The Joint Standing Committee on State and Local Government is authorized to submit legislation.

LD 905 An Act To Amend the Maine Administrative Procedure Act To Strengthen Safeguards for Small Businesses

PUBLIC 181

<u>Sponsor(s)</u>	<u>Committee Report</u>	<u>Amendments Adopted</u>
RECTOR RAYE	OTP-AM	H-202

LD 905 requires an agency adopting a rule to develop and make available to the public an economic impact statement on small businesses prior to adoption of the rule. The contents of the notice must include where the economic impact statement can be obtained. If the economic impact statement is not prepared, the rule may not go into effect.

Committee Amendment "A" (H-202)

This amendment clarifies the language of the bill that requires agencies to prepare economic impact statements of proposed rules on small businesses. The statement must identify the types of small businesses subject to the rule, include a brief statement of probable impacts, and describe reasonable alternatives to the rule rather than all alternatives. It also repeals a similar but voluntary requirement in current law to prevent two parallel processes.

Enacted Law Summary