

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*

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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).

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 1728

**Resolve, Establishing an Apportionment Commission To Develop
New Cumberland County Commissioner Districts**

RESOLVE 212

<u>Sponsor(s)</u>	<u>Committee Report</u>	<u>Amendments Adopted</u>
BARSTOW	OTP-AM	H-840 H-1107 BARSTOW

LD 1728 proposed to direct the Cumberland County Commissioners to put together a task force to establish 7 county commissioner districts and to submit its report no later than December 1, 2007 to the joint standing committee of the Legislature having jurisdiction over state and local government matters.

Committee Amendment "A" (H-840) proposed to establish an apportionment commission under the constitutional procedure for establishing an apportionment commission to apportion the districts of the Legislature. The commission would be required to develop 2 plans to increase the number of Cumberland County commissioners from 3 districts to 5 or 7 districts. The voters of Cumberland County would choose between the 2 plans at a referendum held at the June 2007 election. The reapportionment plan chosen by the voters must be submitted to the Legislature for its approval. Election of Cumberland County commissioners in the reapportioned districts would take place at the November 2008 election.

House Amendment "A" to Committee Amendment "A" (H-926) proposed to change the date that the Cumberland County commissioners would submit the 2 plans to the voters of Cumberland County from June 2007 to November 2008. Election of Cumberland County commissioners in the reapportioned districts would take place at the November 2010 election. This amendment was not adopted.

House Amendment "B" to Committee Amendment "A" (H-1107) proposed to incorporate the substance of Senate Amendment "A" to Committee Amendment "A", filing number S-639. In addition, the amendment also proposed to remove the requirement for the apportionment plan to be submitted to the Cumberland County voters and instead allow the plan to be submitted to voters.

Senate Amendment "A" to Committee Amendment "A" (S-639) proposed to require that the Cumberland County commissioners vote on which of the two plans may be sent to the voters in Cumberland County.

Enacted law summary

Resolve 2005, chapter 212 establishes an apportionment commission under the constitutional procedure for establishing an apportionment commission to apportion the districts of the Legislature. The commission is required to develop 2 plans to increase the number of Cumberland County commissioners from 3 districts to 5 or 7 districts. The Cumberland County commissioners vote to decide which plan may be submitted to the voters in Cumberland County. The commissioners are not required to submit the plan to the voters but may choose to do so at the June 2007 election. The plan must be submitted to the Legislature for enactment. Election of commissioners in the reapportioned districts would take place at the November 2008 election.