

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 1862 **An Act To Expand Notification Requirements for Internal Control Inquiries Made by Nonstate Organizations** **PUBLIC 490**

<u>Sponsor(s)</u> BARSTOW		<u>Committee Report</u> OTP-AM		<u>Amendments Adopted</u> H-760
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LD 1862 proposed to require that the State Auditor be notified when a nonstate organization requests access to state agency resources and records related to internal controls.

Committee Amendment "A" (H-760) proposed to require the State Controller to notify the State Auditor, the Office of Program Evaluation and Government Accountability and other interested parties when a nonstate organization requests access to state agency resources and records related to internal controls.

Enacted law summary

Public Law 2005, chapter 490 requires the State Controller to notify the State Auditor, the Office of Program Evaluation and Government Accountability and other interested parties when a nonstate organization requests access to state agency resources and records related to internal controls.

LD 1864 **Resolve, Authorizing the Commissioner of Administrative and Financial Services To Sell or Lease the Interests of the State in Certain Real Property Located on State Highway 191 in East Machias; U.S. Route 1 in Thomaston; U.S. Route 2 in Skowhegan; and Hospital Street in Augusta** **RESOLVE 177**

<u>Sponsor(s)</u> RECTOR SAVAGE		<u>Committee Report</u> OTP-AM		<u>Amendments Adopted</u> H-927
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LD 1864 proposed to authorize the Commissioner of Administrative and Financial Services to sell or lease the State's interests in properties in East Machias, Thomaston, Skowhegan, Augusta and Falmouth, with the sale proceeds to be deposited into the Department of Administrative and Financial Services, Bureau of General Services' capital repair and improvement account for capital improvements and the lease proceeds to be deposited in the General Fund.

Committee Amendment "A" (H-772) proposed to give the right of first refusal to purchase the parcel of land in Falmouth along the Presumpscot River to the 3 abutting lot owners. The Commissioner of Administrative and Financial Services would have the authority to work with the abutting lot owners to develop an equitable division of property. The bill and this amendment were recommitted to committee for reconsideration.

Committee Amendment "B" (H-927) proposed to remove from the list of state properties authorized to be sold or leased the parcel of land located in Falmouth along the Presumpscot River.

Joint Standing Committee on State and Local Government

Enacted law summary

Resolve 2005, chapter 177 authorizes the Commissioner of Administrative and Financial Services to sell or lease the State's interests in properties in East Machias, Thomaston, Skowhegan and Augusta, with the sale proceeds to be deposited into the Department of Administrative and Financial Services, Bureau of General Services' capital repair and improvement account for capital improvements and the lease proceeds to be deposited in the General Fund.

LD 1865 **An Act To Clarify the Time Period in Which Municipalities Must** **PUBLIC 489**
File Notices of Intent with the State for Purposes of Issuing
Building Permits

<u>Sponsor(s)</u>		<u>Committee Report</u>		<u>Amendments Adopted</u>
BARSTOW		OTP-AM		H-767

LD 1865 proposed to clarify that a municipality must be informed early in the design process of plans for a state construction project or public improvement within that municipality's boundaries. The bill proposed to require a municipality that intends to review or issue permits for that project or improvement to file notice of intent within 30 days of notification of the project or improvement.

Committee Amendment "A" (H-767) proposed to specify that the Department of Administrative and Financial Services, Bureau of General Services notify the municipal manager or, in the absence of a manager, the first selectman, of a proposed project within the municipality's boundaries. It would also give the municipality 45 days to respond after notification.

Enacted law summary

Public Law 2005, chapter 489 specifies that the Department of Administrative and Financial Services, Bureau of General Services must notify the municipal manager or, in the absence of a manager, the first selectman, early in the design process of a proposed state construction project or public improvement within that municipality's boundaries. The municipality has 45 days to file notice of intent to review or issue permits for the project.