

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

LD 204 Resolve, To Combine Payroll and Human Resources for All State Agencies into One Central Agency ONTP

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

LD 204 directs the Commissioner of Administrative and Financial Services to combine the payroll and human resources functions of the six service centers within the Department of Administrative and Financial Services into a single service center by June 30, 2008.

LD 205 An Act To Require Regulatory Impact Estimates on Private Property ONTP

<u>Sponsor(s)</u>	<u>Committee Report</u>	<u>Amendments Adopted</u>
EMERY SNOWE-MELLO	ONTP	

LD 205 requires an agency adopting a rule to develop an impact statement specifying how the rule would affect private property values. The impact statement must specify whether the rule will have no significant impact, significant positive impact, significant negative impact or significant positive and negative impact. The impact statement must be made public no less than 45 days before the rule is adopted.

LD 214 An Act To Improve Access to the Government Chart of Accounts P & S 3

<u>Sponsor(s)</u>	<u>Committee Report</u>	<u>Amendments Adopted</u>
	OTP-AM MAJ OTP-AM MIN	H-12

LD 214 reforms county government in the following ways:

1. It amends the county budget process so that all county budget committees are advisory and the county commissioners have the authority to adopt a final budget. It amends the budget process in the counties of Androscoggin, Aroostook, Knox, York, Waldo, Kennebec, Franklin, Oxford, Somerset and Penobscot.

2. It establishes an apportionment commission to increase the number of county commissioner districts to 5 or 7 in all counties except York County, which already has 5 commissioner districts, and Knox County and Aroostook County, both of which have county charters that set the number of commissioner districts at 3. It requires the apportionment commission to develop 2 plans, one that increases the number of county commissioner districts to 5 and one that increases the number to 7. Voters in each county vote on whether to accept the plan that increases the number of districts to 7. If the referendum fails, that county shall adopt the plan increasing the number of districts to 5. The plans chosen by county voters are to be submitted to the Legislature for enactment no later than January 15, 2009. Election of county commissioners must take place at the November 2010 election.

3. It requires the Department of Audit to post on its website the government chart of accounts for municipal and county governments.

Joint Standing Committee on State and Local Government

Committee Amendment "A" (H-12)

This amendment is the majority report of the committee. It retains only the section of the bill that requires the Department of Audit to post on its website the government chart of accounts for municipal and county governments. It removes all the sections relating to increasing the number of county commissioners and making county budget committees advisory.

Committee Amendment "B" (H-13)

This amendment replaces the bill and is the minority report. It requires all counties that do not currently have a county charter to initiate a charter commission. The membership of the commission must be elected no later than the November 2007 election and the proposed county charter must be submitted to the voters no later than November 2008. Each charter must include the powers of the budget committees in that county. The joint standing committee of the Legislature having jurisdiction over state and local government matters may submit a bill to the Second Regular Session of the 124th Legislature after the charters have been adopted in all counties making the necessary changes to the Maine Revised Statutes relating to budgetary procedures. The amendment retains the requirement of the Department of Audit to supply the government chart of accounts for municipal and county governments on its website.

Enacted Law Summary

Private & Special Law 2007, chapter 3 requires the Department of Audit to post on its website the government chart of accounts for municipal and county governments.

LD 217 An Act Regarding Penalties for Payments Made to the State That Are Rejected by a Financial Institution

PUBLIC 13

<u>Sponsor(s)</u>	<u>Committee Report</u>	<u>Amendments Adopted</u>
BARSTOW SCHNEIDER	OTP	

LD 217 clarifies that when a person makes a payment to any state department, agency, board, commission, authority or any other state entity and that payment fails as a result of insufficient funds, a closed account, no account or a similar reason, that person is liable for a \$20 penalty.

Enacted Law Summary

Public Law 2007, chapter 13 clarifies that when a person makes a payment to any state department, agency, board, commission, authority or any other state entity and that payment fails as a result of insufficient funds, a closed account, no account or a similar reason, that person is liable for a \$20 penalty.

LD 226 An Act To Enhance the Concept of Representative Democracy by Ensuring Basic Compensation for Elected Representatives

ONTP

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

LD 226 requires the Executive Department, State Planning Office to develop a plan that sets the salary for members of the House of Representatives and the Senate at a level that meets a basic needs budget. The State Planning Office shall submit legislation to the Legislature in each even-numbered year to implement the salary plan. A salary plan that increases members' compensation may not apply to the Legislature that enacts it.