

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 243 An Act To Establish Cancer Awareness Week and Lung Cancer Awareness Day

PUBLIC 27

<u>Sponsor(s)</u>	<u>Committee Report</u>	<u>Amendments Adopted</u>
MITCHELL	OTP-AM	S-13

LD 243 establishes November as Lung Cancer Awareness Month each year.

Committee Amendment "A" (S-13)

This amendment establishes November 1st to 7th as Cancer Awareness Week and November 1st as Lung Cancer Awareness Day.

Enacted Law Summary

Public Law 2007, chapter 27 establishes November 1st to 7th as Cancer Awareness Week and November 1st as Lung Cancer Awareness Day.

LD 249 An Act To Establish May 25th as Missing Persons Day

**PUBLIC 28
EMERGENCY**

<u>Sponsor(s)</u>	<u>Committee Report</u>	<u>Amendments Adopted</u>
NUTTING J	OTP-AM	S-14

LD 249 establishes May as Missing Persons Month each year.

Committee Amendment "A" (S-14)

This amendment establishes May 25th as Missing Persons Day.

Enacted Law Summary

Public Law 2007, chapter 28 establishes May 25th as Missing Persons Day.

Public Law 2007, chapter 28 was enacted as an emergency measure effective April 4, 2007.

LD 312 An Act To Allow Plantations To Enact an Animal Control Ordinance

PUBLIC 35

<u>Sponsor(s)</u>	<u>Committee Report</u>	<u>Amendments Adopted</u>
JACKSON MARTIN	OTP-AM	H-23

LD 312 allows an unincorporated township in the unorganized territory to place a noise ordinance on the ballot for that township in the next statewide election upon a petition signed by at least 25 residents of the township or 10% of the residents of the township, whichever is less.

Committee Amendment "A" (H-23)

This amendment allows plantations to enact an animal control ordinance.

Enacted Law Summary

Joint Standing Committee on State and Local Government

Public Law 2007, chapter 35 allows plantations to enact an animal control ordinance.

LD 336 An Act To Reauthorize the Community Preservation Advisory Committee

PUBLIC 458

<u>Sponsor(s)</u>	<u>Committee Report</u>	<u>Amendments Adopted</u>
	OTP-AM	S-22 S-351 ROTUNDO

LD 336 implements a recommendation of the Community Preservation Advisory Committee. It changes the repeal date of the law under which the committee operates from June 1, 2008 to June 1, 2016.

Committee Amendment "A" (S-22)

This amendment changes the repeal date of the Community Preservation Advisory Committee to 2012.

Senate Amendment "A" (S-351)

This amendment removes the 2008-09 appropriation, as the necessary funds are included in a legislative account in Public Law 2007, chapter 240.

Enacted Law Summary

Public Law 2007, chapter 458 extends the law under which the Community Preservation Advisory Committee operates until June 1, 2012.

LD 342 An Act To Contract Out the State Single Audit

ACCEPTED ONTP
REPORT

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

LD 342 requires the State Controller within the Department of Administrative and Financial Services to contract with an independent auditor to conduct the state single audit of State Government every year beginning in 2008. It repeals the provision of law that currently gives the responsibility for the state single audit to the Department of Audit.

Committee Amendment "A" (H-42)

This amendment, which is the minority report, adds an appropriations and allocations section to the bill.

Senate Amendment "A" (S-72)

This amendment eliminates the Department of Audit as of July 1, 2008 and requires the State Controller to submit legislation to the Joint Standing Committee on State and Local Government that distributes the duties and functions of the Department of Audit to other State Government entities, including the Department of Administrative and Financial Services, Office of the State Controller.