

# MAINE STATE LEGISLATURE

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**STATE OF MAINE**  
123<sup>RD</sup> LEGISLATURE  
FIRST REGULAR SESSION



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

**JOINT STANDING COMMITTEE ON STATE AND LOCAL GOVERNMENT**

July 2007

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# STATE OF MAINE

123<sup>RD</sup> 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 123<sup>rd</sup> 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 344      An Act To Modify the Membership of the Franklin County Budget  
Advisory Committee**

**ONTP**

| <u>Sponsor(s)</u> | <u>Committee Report</u> | <u>Amendments Adopted</u> |
|-------------------|-------------------------|---------------------------|
| PINEAU            | ONTP                    |                           |

LD 344 allows municipal officials other than elected officials to serve on the Franklin County Budget Advisory Committee, with the provision that a member whose position or department may be directly affected by a budget matter may not participate in a discussion or a vote on that matter.

**LD 353      RESOLUTION, Proposing an Amendment to the Constitution of Maine  
To Require a 2/3 Vote of Each House of the Legislature To Enact or  
Increase a Tax or License Fee**

**DIED BETWEEN  
HOUSES**

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

LD 353 is a constitutional amendment to require the approval of 2/3 of all members of each House of the Legislature to enact or increase taxes or license fees except when inadequate funds have been appropriated for debt payment.

**Committee Amendment "A" (H-34)**

This amendment, which is the minority report, incorporates a fiscal note.

**LD 430      An Act To Enable Unorganized Territory Townships To Become a  
Municipality**

**DIED BETWEEN  
HOUSES**

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

LD 430 develops a procedure for up to 3 townships in the Unorganized Territory to organize as a municipality.

**Committee Amendment "A" (H-175)**

This amendment removes the requirement for a census to establish the resident population of the unincorporated township or townships. It prohibits the inclusion of a township without a resident population from the proposed municipality. County commissioners are required to send notice to all residents in the unincorporated township or townships discussing possible organization. Notice of the organizational meetings and public hearing must be mailed to the fiscal administrator of the unorganized territory, the director of schools in the unorganized territory, the supervisor of the unorganized territory property tax division, the director of the Maine Land Use Regulation Commission and a representative from a statewide organization representing municipalities appointed by the county commissioners. The amendment also requires that the effective date of organization be included in the organization procedure and specifies that the question must be in the referendum to finally approve organization.