

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 466 An Act To Provide County Commissioners with an Enforcement Mechanism with Regard to Parking Ordinances

PUBLIC 41

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

LD 466 provides the same enforcement authority for sheriff's deputies as presently exists for municipal law enforcement officers under the Maine Revised Statutes, Title 30-A, section 2671, subsection 3, thereby providing the county commissioners with an enforcement mechanism with regard to the parking ordinances they are allowed to enact under Title 30-A, section 121.

Enacted Law Summary

Public Law 2007, chapter 41 provides the same enforcement authority for sheriff's deputies as presently exists for municipal law enforcement officers under the Maine Revised Statutes, Title 30-A, section 2671, subsection 3, thereby providing the county commissioners with an enforcement mechanism with regard to the parking ordinances they are allowed to enact under Title 30-A, section 121.

LD 510 An Act To Amend the Membership of the Advisory Council on Tax-deferred Arrangements

ONTP

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

LD 510 increases the number of members on the Advisory Council on Tax-deferred Arrangements from 10 members to 11 members and amends the composition of the council to provide employee representatives from the judicial employee bargaining unit and the legislative employee bargaining unit.

Similar changes to the membership of the Advisory Council on Tax-deferred Arrangements were included in LD 259 and enacted as Public Law 2007, chapter 298. LD 259 was referred to the Committee on Labor.

LD 523 An Act To Provide for Enforcement of Land Use Limitations Relating to Cemeteries

PUBLIC 112

<u>Sponsor(s)</u>	<u>Committee Report</u>	<u>Amendments Adopted</u>
HANLEY S EDMONDS	OTP-AM	H-109

LD 523 specifies that a violation of the statutory limitations on construction and excavation near burial sites is a civil violation punishable by a fine. This provision is enforceable by municipalities.

Committee Amendment "A" (H-109)

This amendment specifies that a violation of statutory limitations on construction and excavation near burial sites is a civil violation punishable by fines set in the Maine Revised Statutes, Title 30-A, section 4452 between \$100 and \$2,500 that may be assessed on a per-day basis. It also allows for the Attorney General's office to seek injunctive relief. The language in Title 13, section 1035 is amended to conform with updated statutes in Title 17-A, and section 1371-A is amended to conform to the rest of the chapter by replacing "graveyard" with "established cemetery."

Joint Standing Committee on State and Local Government

Enacted Law Summary

Public Law 2007, chapter 112 specifies that a violation of statutory limitations on construction and excavation near burial sites is a civil violation punishable by a fine between \$100 and \$2,500 and it may be assessed on a per-day basis. It also allows for the Attorney General's office to seek injunctive relief. The law amends the language in Title 17-A to conform to the rest of the chapter by replacing "graveyard" with "established cemetery."

LD 556 Resolve, To Achieve Cost Savings of 7% in State Government

RESOLVE 57

<u>Sponsor(s)</u>	<u>Committee Report</u>	<u>Amendments Adopted</u>
JOY	OTP-AM MAJ ONTP MIN	H-37

LD 556 directs each state department to conduct an evaluation of its operations to determine if any of its programs and personnel could be reduced by 4% without affecting the ability of the department to complete its mission. Each department shall report the results of its evaluation and any potential cost savings to the Commissioner of Administrative and Financial Services by December 15, 2007.

Committee Amendment "A" (H-37)

This amendment changes the savings percentage that state departments should look for from 4% to 7%. It also changes the reporting date from December 15, 2007 to a date set by the Commissioner of Administrative and Financial Services that is consistent with the supplemental budget process.

Enacted Law Summary

Resolve 2007, chapter 57 directs each state department to conduct an evaluation of its operations to determine if any of its programs and personnel could be reduced by 7% without affecting the ability of the department to complete its mission. Each department shall report the results of its evaluation and any potential cost savings to the Commissioner of Administrative and Financial Services on a date consistent with the supplemental budget process that is set by the Commissioner of Administrative and Financial Services.

**LD 601 Resolve, To Direct the Bureau of General Services To Develop a
Purchasing Pool for Political Subdivisions of the State and School
Administrative Units**

ONTP

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

LD 601 directs the Department of Administrative and Financial Services, Bureau of General Services to develop a centralized statewide purchasing pool for political subdivisions of the State and school administrative units to buy motor vehicles so that all political subdivisions and school administrative units are getting the best prices and information.