

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

Public Law 2007, chapter 181 requires an agency adopting a rule to develop and make available to the public an economic impact statement on small businesses prior to adoption of the rule. The contents of the notice must include where the economic impact statement can be obtained. If the economic impact statement is not prepared, the rule may not go into effect.

LD 917 **RESOLUTION, Proposing an Amendment to the Constitution of Maine** **ONTP**
To Reduce the Size of the Legislature to 132 Members

| <u>Sponsor(s)</u> | <u>Committee Report</u> | <u>Amendments Adopted</u> |
|-----------------------|-------------------------|---------------------------|
| PENDLETON SAVAGE C | ONTP | |

LD 917 is a constitutional amendment to reduce the size of the House of Representatives from 151 members to 99 members and the size of the Senate from no more than 35 members to 33 members. The redistricting will be done in 2008 during the Second Regular Session of the 123rd Legislature and the reduction in the size of each legislative body takes effect in 2009.

LD 953 **An Act To Provide for Nonpartisan Elections for Sheriffs** **ONTP**

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

LD 953 allows for sheriffs to be elected on a nonpartisan basis. A candidate for sheriff would not be allowed to file as a candidate during the primaries.

LD 1007 **An Act To Promote County-based Economic and Community** **PUBLIC 321**
Development

| <u>Sponsor(s)</u> | <u>Committee Report</u> | <u>Amendments Adopted</u> |
|-------------------|----------------------------|---------------------------|
| RAYE | OTP-AM MAJ ONTP MIN | S-160 |

LD 1007 allows counties in the State to adopt a statute conferring countywide economic powers to raise, appropriate, borrow and expend money for the purposes of county economic development through a countywide referendum. It makes a one-time General Fund appropriation of \$1,600,000 in fiscal year 2007-08 for the Department of Economic and Community Development to provide support to Maine's 16 counties of up to \$100,000 in state funding per county subject to a 1:1 match.

LD 1007 was co-referred to the Committee on State and Local Government and to the Committee on Business, Research and Economic Development.

Committee Amendment "A" (S-160)

This amendment requires any bonds or salary expenses to be approved by a majority of the county budget committee, whether advisory or not. It also requires a 50% turnout by the voters for a bond approval, as is the current law, rather than changing it to 40% as in the bill. It strikes out the appropriations and allocations section of the bill but allows for the possibility of funding in the future. It broadens county development efforts to include community development as well as economic development.

Enacted Law Summary