

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

decisions are made at a town meeting.

LD 1091 Resolve, To Establish the Maine Civil War Sesquicentennial Commission

INDEF PP

<u>Sponsor(s)</u>	<u>Committee Report</u>	<u>Amendments Adopted</u>
ADAMS	OTP-AM	H-85

LD 1091 creates the Maine Civil War Sesquicentennial Commission to develop and coordinate the commemoration of the 150th anniversary of the Civil War.

Committee Amendment "A" (H-85)

This amendment makes a number of changes to the Maine Civil War Sesquicentennial Commission to develop and coordinate the commemoration of Maine's role in the Civil War. It changes the membership of the commission to 7 Legislators; adds the State Librarian or the State Librarian's designee; the State Historian or the State Historian's designee; the Adjutant General or the Adjutant General's designee; and reduces the number of public members to 2. It requires the Legislative Council to administer the funding for the commission and allows outside funding to be used for activities and duties other than legislative compensation. It also makes a number of other technical changes related to reporting dates, staff assistance and terms of appointment.

LD 1122 An Act To Prohibit a Person from Serving as Both Municipal Tax Collector and Treasurer

ACCEPTED ONTP REPORT

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

LD 1122 prohibits a person serving simultaneously as both tax collector and treasurer of a municipality.

Committee Amendment "A" (S-66)

This amendment, which is the minority report, adds an effective date of July 1, 2008, so that municipalities that currently have one person serving as treasurer and tax collector can elect 2 people at the next regularly scheduled election and avoid a special election.

LD 1132 An Act To Make Technical Changes to the Maine Municipal Bond Bank Laws

PUBLIC 48

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

LD 1132 clarifies that public waste disposal corporations may apply and qualify for municipal bond bank funding through the Maine Municipal Bond Bank established under the Maine Revised Statutes, Title 30-A in the same manner that a water, sewer or electric municipal corporation may.

Enacted Law Summary

Public Law 2007, chapter 48 clarifies that public waste disposal corporations may apply and qualify for municipal bond bank funding through the Maine Municipal Bond Bank established under the Maine Revised

Joint Standing Committee on State and Local Government

Statutes, Title 30-A in the same manner provided for a water, sewer or electric municipal corporation.

LD 1135 An Act To Allow Municipal Cost Sharing for County Services

**PUBLIC 105
EMERGENCY**

<u>Sponsor(s)</u>	<u>Committee Report</u>	<u>Amendments Adopted</u>
PINGREE	OTP-AM	H-81

LD 1135 allows a geographically isolated municipality to enter into a cost-sharing arrangement for services provided by a county.

Committee Amendment "A" (H-81)

This amendment replaces the bill. It allows offshore island municipalities to enter into contracts with the county to provide rural patrol services by crediting to a municipality the portion of the county assessment that would be used for rural patrol of the municipality if it were on the mainland. The assessment credit must be negotiated annually between the island municipalities and the county. The amendment also adds an emergency preamble.

Enacted Law Summary

Public Law 2007, chapter 105 allows offshore island municipalities to enter into contracts with the county to provide rural patrol services by crediting to a municipality the portion of the county assessment that would be used for rural patrol of the municipality if it were on the mainland. The assessment credit must be negotiated annually between the island municipalities and the county.

Public Law 2007, chapter 105 was enacted as an emergency measure effective May 11, 2007.

LD 1147 An Act To Impose a Modified Hiring Freeze in State Government

ONTP

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

LD 1147 requires any positions, funded wholly or partly by the General Fund or the Highway Fund, that are vacant on the effective date of the bill or become vacant after that date within the executive, legislative and judicial branches must remain unfilled. The only exceptions are positions that require confirmation by the Legislature and up to 5% of vacancies within each branch of government that are approved to be filled by the head of that branch. The State Budget Officer must submit a report to the Joint Standing Committee on Appropriations and Financial Affairs by May 15, 2007 detailing the savings achieved from the General Fund and the Highway Fund for 2007 and include proposed legislation that extends the hiring freeze through the 2008-2009 biennium but allowing for a maximum of 50% of all vacancies to be filled. The Joint Standing Committee on Appropriations and Financial Affairs may submit legislation to achieve this purpose.

LD 1173 An Act To Clarify the Application of the Definition of "Tract or Parcel of Land" under the State Subdivision Laws

PUBLIC 49

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