

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

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	

Joint Standing Committee on State and Local Government

LD 1173 clarifies that when dealing with subdivisions created prior to September 22, 1971 any proposal submitted involving contiguous land under the same ownership that is separated by a public or private road is considered to involve separate tracts or parcels of land.

Enacted Law Summary

Public Law 2007, chapter 49 clarifies that when dealing with subdivisions created prior to September 22, 1971 any proposal submitted involving contiguous land under the same ownership that is separated by a public or private road is considered to involve separate tracts or parcels of land.

LD 1191 An Act To Authorize a Local Bond Issue for Solid Waste, Storm and Drainage Issues and Transfer Stations ONTP

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

LD 1191 is a concept draft pursuant to Joint Rule 208. This bill proposes to amend the current law to allow a local bond issue in York County for funds for environmental uses, including solid waste, storm and drainage issues and transfer stations.

LD 1227 An Act To Require Posting of the State's Debt ONTP

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

LD 1227 requires that the Commissioner of Administrative and Financial Services post on the Department of Administrative and Financial Services' publicly accessible website a detailed disclosure of the State's debt.

LD 1238 RESOLUTION, Proposing an Amendment to the Constitution of Maine To Provide 4-year Terms for Legislators ONTP

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

LD 1238 is a constitutional amendment to change the terms of Senators and members of the House of Representatives to 4 years. It provides for staggered terms by having half of the Senators and members of the House beginning 4-year terms in 2010 and the other half beginning in 2012. It retains term limits of 8 years, except that during the period of transition from 2-year to 4-year terms a limit of 10 years is imposed. Each Legislature would continue to consist of a 2-year cycle, with a first regular session and a second regular session. In order to ensure that terms remain staggered, a provision is added to require that districts retain like number designations during 10-year reapportionments and that a reapportionment plan not curtail or cut short a 4-year term before its expiration.