

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

Committee Amendment "A" (H-192)

This amendment adds an appropriations and allocations section.

LD 1374 An Act To Require Expense Reporting by Municipalities and Counties

ONTP

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

LD 1374 requires a municipality and county to report expenses on the annual return that an assessor must file with the State Tax Assessor. The bill also requires a municipality or county that has a publicly accessible website to post this list on its publicly accessible website.

LD 1441 RESOLUTION, Proposing an Amendment to the Constitution of Maine To Establish the Maine State Endowment Trust

ONTP

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

LD 1441 is a constitutional amendment to establish the Maine State Endowment Trust for the purpose of providing funds to support the public mission of State Government.

LD 1456 Resolve, Establishing a Blue Ribbon Commission To Study the Operations of State Government

ONTP

<u>Sponsor(s)</u>	<u>Committee Report</u>	<u>Amendments Adopted</u>
GROSE BRYANT B	ONTP	

LD 1456 is a concept draft pursuant to Joint Rule 208. This bill establishes a blue ribbon commission charged with the duty of studying the operations of State Government and its delivery of services and proposing efficiencies, economies of scale and means of conservation. Specifically, the blue ribbon commission is charged with examining potential areas for increased efficiencies, such as bidding for contracts and services; use of electricity and energy; and procurement of office supplies and service contracts. In addition, the blue ribbon commission is charged with causing an energy audit to be conducted in an effort to identify energy-efficient measures that can be implemented throughout State Government.

LD 1462 Resolve, Regarding the Department of Audit's Municipal Internal Control Observation Program

RESOLVE 66

<u>Sponsor(s)</u>	<u>Committee Report</u>	<u>Amendments Adopted</u>
WESTON	OTP-AM	S-156

LD 1462 clarifies that if a municipality has, for the most recent fiscal year, conducted and executed an annual post-audit, then participation in the Department of Audit's municipal internal control observation program or a similar observation program is voluntary.

Joint Standing Committee on State and Local Government

Committee Amendment "A" (S-156)

This amendment replaces the bill. It requires the Department of Audit to convene a working group with municipal officials, the Maine Municipal Association and other interested parties to determine the requirements of the municipal internal control observation program. The working group must consider whether the program is mandatory, whether the program's focus is on fraud or education and if the department website accurately describes the program. The Department of Audit shall report to the Joint Standing Committee on State and Local Government by January 15, 2008. The Committee may submit legislation to the Second Regular Session of the 123rd Legislature.

Enacted Law Summary

Resolve 2007, chapter 66 requires the Department of Audit to convene a working group with municipal officials, the Maine Municipal Association and other interested parties to determine the requirements of the municipal internal control observation program. The working group must consider whether the program is mandatory, whether the program's focus is on fraud or education and if the department website accurately describes the program. The Department of Audit shall report to the Joint Standing Committee on State and Local Government by January 15, 2008. The Committee may submit legislation to the Second Regular Session of the 123rd Legislature.

LD 1464 An Act To Expand the Duties of the State Planning Office To Provide Additional Services to Municipalities **ONTP**

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

LD 1464 expands the duties of the Executive Department, State Planning Office to include the provision of services to municipalities similar to those provided by the Maine Municipal Association.

LD 1475 An Act To Assist Maine Property Owners of Land near State-owned Railroads **ONTP**

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

LD 1475 requires that the Director of the Bureau of General Services within the Department of Administrative and Financial Services provide insurance services so that private landowners may purchase insurance for coverage of land crossing state-owned railroads.

LD 1515 An Act To Require That Notaries Public Keep Records of Notarial Acts **DIED BETWEEN HOUSES**

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

LD 1515 makes record keeping for all notarial acts performed by a notary public mandatory.

Senate Amendment "A" (S-225)