

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" (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>
HOBBS	OTP	

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

Senate Amendment "A" (S-225)

Joint Standing Committee on State and Local Government

This amendment excepts from the record-keeping requirement proposed in the bill, absentee ballot envelopes and candidate petitions. It also expands the minimum information required to be recorded to include the type, title or description of a set of documents comprising a transaction. It also requires the Secretary of State to provide notarial journals, at cost, or contact information for organizations that provide complete notary public supplies and services.

LD 1530 RESOLUTION, Proposing an Amendment to the Constitution of Maine ONTP
To Reduce the Size of the Legislature to 140 Members

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

LD 1530 is a constitutional amendment to reduce the size of the House of Representatives from 151 members to 105 members and to establish the size of the Senate at 35 members. Reduction in the size of the House of Representatives and freezing the size of the Senate take effect in 2015.

LD 1550 An Act To Amend the Term Limitation Laws for State Legislators DIED BETWEEN HOUSES

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

LD 1550 affects term limits for Legislators in the following ways and is contingent upon the adoption and ratification of a constitutional amendment in LD 1553 that would increase the number of years for a legislative term from 2 to 4:

1. Legislators would have a lifetime cumulative limit of 8 terms regardless of where those terms are served. The limit on 4 consecutive terms in one chamber would remain intact, thereby requiring a break in service to return to service in the same chamber for a 5th term.
2. The limits for serving as President of the Senate and Speaker of the House would be 2 consecutive Legislatures.

Committee Amendment "A" (H-506)

This amendment amends the term limit law to maintain the current maximum of 8 years in each chamber rather than the 16 years proposed by the bill. Like the bill, this amendment is contingent upon a constitutional amendment being adopted and ratified by referendum that would increase legislative terms from 2 years to 4. The amendment also requires the President of the Senate and the Speaker of the House to be reelected by their respective chambers at the beginning of the each odd-numbered regular session of the Legislature. The constitutional amendment and new term limit law would not take effect until the 2014 general election.