

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

**LD 1552 RESOLUTION, Proposing an Amendment to the Constitution of Maine
To Provide for the Reduction in the Size of the Legislature**

**ACCEPTED ONTP
REPORT**

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

LD 1552 is a constitutional amendment to reduce the size of the House of Representatives from 151 members to 105 members and to establish in the Constitution of Maine the size of the Senate at 35 members. The redistricting will be done in 2008 during the Second Regular Session of the 123rd Legislature and the adjustments in the size of each legislative body take effect in 2009.

Committee Amendment "A" (H-266)

This amendment, which is the minority report, incorporates a fiscal note.

**LD 1553 RESOLUTION, Proposing an Amendment to the Constitution of Maine
To Increase the Length of Legislative Terms to 4**

**DIED BETWEEN
HOUSES**

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

LD 1553 is a constitutional amendment to change the terms of Senators and members of the House of Representatives to 4 years beginning with the statewide election in 2008. The reapportionment cycle would increase from 10 to 12 years to coincide with the 4-year legislative cycle.

Committee Amendment "A" (H-509)

This amendment changes the terms of Senators and members of the House of Representatives to 4 years beginning with the statewide election in 2014 after the next regularly scheduled reapportionment rather than in 2008.

**LD 1614 An Act To Transfer All Registry of Deeds and Probate Functions to the
Secretary of State and Courts**

ONTP

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

LD 1614 transfers the functions of the county register of deeds offices to the Secretary of State, and transfers the functions of the county registers of probate to the office of the clerk of courts in order to regionalize services.

PART A amends the Maine Revised Statutes, Title 33, chapter 11, which governs registers of deeds, to transfer the functions of the registers of deeds to the office of the Secretary of State.

PART B amends Title 18-A, Article 1, Part 5, which governs registers of probate, to transfer the functions of the registers of probate to the office of the clerk of courts.

Joint Standing Committee on State and Local Government

PART C directs the Joint Standing Committee on State and Local Government, with the advice and counsel of the Secretary of State, to develop legislation to implement the transfer of the register of deeds functions from the county to the office of the Secretary of State. Part C also directs the Joint Standing Committee on State and Local Government, with the advice and counsel of the Chief Justice of the Supreme Judicial Court, to develop legislation to implement the transfer of the register of probate functions from the county to the office of clerk of courts.

**LD 1618 An Act To Seek Direct Voter Approval To Exceed Government
Spending Limits**

INDEF PP

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

LD 1618 requires that the spending caps set in Public Law 2005, chapter 2 on school administrative units, counties and municipalities may be exceeded only if approved by the voters at a referendum.

Committee Amendment "A" (S-128)

This amendment, which is the minority report, allows counties to exceed the spending caps in Public Law 2005, chapter 2 only if it is approved by referendum and removes the sections of the bill relating to school administrative units and municipalities.

**LD 1636 An Act To Extend the Right To Vote by Absentee Ballot at an Annual
Town Meeting BY REQUEST**

ONTP

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

LD 1636 allows a voter to vote on warrant articles at a town meeting by absentee ballot if the voter for any reason is unable to attend the town meeting.

LD 1663 An Act To Modify Daylight Savings Time According to Federal Statute

PUBLIC 129

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

LD 1663 requires that the standard time for the State be determined by federal law.

Enacted Law Summary

Public Law 2007, chapter 129 requires that the standard time for the State be determined by federal law.

**LD 1678 An Act To Implement the Recommendations of the Working Group on
the State Purchasing Code of Conduct Laws**

PUBLIC 193

<u>Sponsor(s)</u>	<u>Committee Report</u>	<u>Amendments Adopted</u>
ROTUNDO	OTP-AM	S-102