

# MAINE STATE LEGISLATURE

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**STATE OF MAINE**  
123<sup>RD</sup> LEGISLATURE  
FIRST REGULAR SESSION



Summaries of bills and adopted amendments and laws enacted or finally passed during the First Regular Session of the 123<sup>rd</sup> Maine Legislature coming from the

**JOINT STANDING COMMITTEE ON STATE AND LOCAL  
GOVERNMENT**

July 2007

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# STATE OF MAINE

123<sup>RD</sup> 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 123<sup>rd</sup> 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*

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

## *Joint Standing Committee on State and Local Government*

LD 1678 implements the recommendations of the working group on the state purchasing code of conduct laws. Specifically the bill:

1. Charges a vendor's fee of 1% of the amount of a winning bid by a supplier of apparel, footwear or textiles to the State to pay for the administration and implementation of the state purchasing code of conduct, including allowing the State Purchasing Agent to develop a consortium to monitor and investigate alleged violations of the code of conduct;
2. Amends the laws regarding the state purchasing code of conduct to allow a party found not to be in compliance with the code of conduct to provide continued access to independent monitors; and
3. Creates the Citizens' Code of Conduct Working Group, with 7 members appointed by the Governor and the State Purchasing Agent and Commissioner of Administrative and Financial Service as ex officio members, to advise the State Purchasing Agent on matters related to the state purchasing code of conduct and to help implement a monitoring consortium for the code of conduct.

### **Committee Amendment "A" (S-102)**

This amendment amends the section of the bill relating to the 1% vendor's fee. Rather than requiring the fee, it gives authority to the State Purchasing Agent to charge the fee to reflect the fact that the consortium to monitor and investigate alleged violations of the state purchasing code of conduct is not yet operational. Rules adopted by the State Purchasing Agent with respect to the fee are changed from major substantive to routine technical. The amendment also requires the Director of the Bureau of General Services to submit an annual report on the revenue generated by the vendor's fee to the joint standing committee of the Legislature having jurisdiction over state and local government matters. This amendment adds an appropriations and allocations section to the bill.

### **Enacted Law Summary**

Public Law 2007, chapter 193 implements the recommendations of the working group on the state purchasing code of conduct laws. Specifically the law:

1. Allows the State Purchasing Agent to charge a vendor a fee of 1% of the amount of a winning bid by a supplier of apparel, footwear or textiles to pay for the administration and implementation of the state purchasing code of conduct, including allowing the State Purchasing Agent to develop a consortium to monitor and investigate alleged violations of the code of conduct;
2. Amends the laws regarding the state purchasing code of conduct to allow a party found not to be in compliance with the code of conduct to provide continued access to independent monitors;
3. Creates the Citizens' Code of Conduct Working Group, with 7 members appointed by the Governor and the State Purchasing Agent and Commissioner of Administrative and Financial Service as ex officio members, to advise the State Purchasing Agent on matters related to the state purchasing code of conduct and to help implement a monitoring consortium for the code of conduct; and
4. Requires the Director of the Bureau of General Services to submit an annual report on the revenue generated by the vendor's fee to the joint standing committee of the Legislature having jurisdiction over state and local government matters.