

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

Financial Services, Bureau of General Services to administer the funds. If sufficient money is not raised privately by January 15, 2008, the Legislature is authorized to make up the difference. The consultant services must be contracted according to purchasing standards established for the Department of Administrative and Financial Services, Bureau of General Services.

House Amendment "A" (H-466)

This amendment specifies that the task force may apply for New Century Community Program funds to provide funding for the task force and the architectural consultant; any funds received from the New Century Community Program are eligible to be matched by federal, state or local funds.

This bill was carried over to any special or regular session of the 123rd Legislature by joint order, H.P. 1369.

LD 1878

An Act To Generate Savings by Changing Public Notice Requirements

CARRIED OVER

<u>Sponsor(s)</u>	<u>Committee Report</u>	<u>Amendments Adopted</u>
HAYES SCHNEIDER		

LD 1878 phases out, over a one-year period, the requirement that State Government, including the executive branch, departments, independent agencies, the Legislature and the judicial branch, and the Maine Land Use Regulation Commission, or LURC, publish legal or public notices in a newspaper. Instead, the Department of Administrative and Financial Services, for State Government, and LURC, for the unorganized territory, are required to establish and maintain a publicly accessible Internet site on which to post all legal and public notices. In addition, the department and LURC are required to establish and maintain an in-state toll-free telephone number that allows a person in Maine to call and receive, by mail, any notice posted on the respective Internet sites.

For the first 6 months, from July 1, 2007 to December 31, 2007, every notice published in a newspaper by an entity of State Government or LURC is required to include an entity of statement with the printing of each public notice that notices will not be printed in newspapers after December 31, 2007 and the address of the Internet site and telephone number of the government entity or LURC, as the case may be. For the next 6 months, from January 1, 2008 to June 30, 2008, instead of publishing a notice, the government entity and LURC are only required to publish a statement that notices are no longer published in the newspaper and the address of the Internet site and telephone number where such notices may not be obtained. Finally, beginning July 1, 2008, no notices will be published in newspapers by a government entity or LURC.

Municipalities are allowed to publish legal notices in a newspaper medium distributed as 3rd-class mail if the municipal officers adopt a publication policy. The policy must contain 5 requirements: the newspaper of general circulation must have a subscription rate of less than 30% of the residents in the municipality; all households in the municipality must receive the alternative newspaper; the alternative newspaper must cost less than the newspaper of general circulation; the municipality must retain a record of all notices published in the alternative newspaper; and the publisher of the alternative newspaper must have a system of archiving past editions.

The Department of Administrative and Financial Services is required to submit legislation by December 15, 2007 to the Joint Standing Committee on State and Local Government that removes any statutory requirement that a government entity publish notices in newspapers.

This bill was carried over to any special or regular session of the 123rd Legislature by joint order, H.P. 1369.

Joint Standing Committee on State and Local Government

Committee Amendment "A" (H-531)

This amendment delays and extends the phasing out of publishing legal or public notices in newspapers. The first phase, lasting from the effective date of this legislation until June 30, 2008, requires that legal and public notices be published in newspapers along with a notice informing readers that notices will be published only electronically after July 1, 2009. The second phase, lasting from July 1, 2008 until June 30, 2009, requires that only a notice informing readers where notices can be found electronically may be published in newspapers. After July 1, 2009, all public and legal notices are to be published electronically.

The amendment removes the specific language of the notices from the bill and removes the requirement for a toll-free number to be included in the notice. It gives the Commissioner of Administrative and Financial Services the duty to resolve disputes. It allows the commissioner to waive the requirement for executive departments in the interests of the State. The same authority is granted to the Executive Director of the Legislative Council for the Legislature and to the State Court Administrator for the judicial branch. It also requires the Commissioner of Administrative and Financial Services, the Executive Director of the Legislative Council and the State Court Administrator to provide annual reports to the joint standing committee of the Legislature having jurisdiction over state and local government matters until January 15, 2010. Finally, it removes the emergency preamble and emergency clause from the bill and adds an appropriations and allocations section.

LD 1885 An Act To Repeal Inactive Boards and Commissions

PUBLIC 395

<u>Sponsor(s)</u>	<u>Committee Report</u>	<u>Amendments Adopted</u>
	OTP-AM	H-496
		S-283 STRIMLING

LD 1885 repeals boards and commissions that did not file annual reports in 2005 or 2006, or that filed an annual report but indicated inactivity for 2005 and 2006. The boards and commissions being repealed are:

1. Education Commission of the States;
2. Future for Youth in Maine State Work Action Tactics Team;
3. Maine Higher Educational Attainment Council;
4. Pharmaceutical Cost Management Council;
5. Prescription Drug Advisory Commission;
6. Telecommunications Relay Services Advisory Council;
7. Work Center Purchases Committee;
8. Agricultural Products Utilization Commission;
9. Commission on Safety and Health in the Maine Workplace;
10. Maine Engineers Recruitment and Retention Advisory Committee;