

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-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;

Joint Standing Committee on State and Local Government

11. Maine-Canadian Legislative Advisory Commission;
12. Natural Areas Advisory Board;
13. Oil Spill Advisory Committee;
14. The State Compensation Commission; and
15. The Board of Directors of the Maine Consumer Choice Health Plan.

It also removes references to the Advisory Commission on Radioactive Waste and Decommissioning, which has a sunset date of June 30, 2006; the General River Corridor Commissions, which were never formed; and the Commission on Performance Budgeting, which is repealed July 1, 2007.

Committee Amendment "A" (H-496)

This amendment removes a number of boards and commissions from the list to be repealed in the bill. Those boards and commissions being removed from the bill are:

1. Education Commission of the States;
2. Pharmaceutical Cost Management Council;
3. Telecommunications Relay Services Advisory Council;
4. Maine Engineers Recruitment and Retention Advisory Committee;
5. Maine-Canadian Legislative Advisory Commission;
6. Oil Spill Advisory Committee; and
7. State Compensation Commission.

It also transfers the responsibilities of the Work Center Purchases Committee to the Director of the Bureau of General Services within the Department of Administrative and Financial Services and repeals the committee itself. It gives authority for the joint standing committee of the Legislature having jurisdiction over state and local government matters to submit legislation in the first regular session of each biennium in order to act on the Secretary of State's report without the need for a joint order.

Senate Amendment "A" (S-283)

This amendment, presented on behalf of the Committee on Bills in the Second Reading, prevents a conflict by removing a section of the bill that amended a section of law amended by Public Law 2007, chapter 240, Part RRRR, section 4.

Enacted Law Summary

Public Law 2007, chapter 395 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. Future for Youth in Maine State Work Action Tactics Team;

Joint Standing Committee on State and Local Government

2. Maine Higher Educational Attainment Council;
3. Prescription Drug Advisory Commission;
4. Work Center Purchases Committee;
5. Agricultural Products Utilization Commission;
6. Commission on Safety and Health in the Maine Workplace;
7. Natural Areas Advisory Board;
8. The Board of Directors of the Maine Consumer Choice Health Plan.

It also removes references to the Advisory Commission on Radioactive Waste and Decommissioning, which has a sunset date of June 30, 2006; the General River Corridor Commissions, which were never formed; and the Commission on Performance Budgeting, which is repealed July 1, 2007. The responsibilities of the Work Center Purchases Committee are transferred to the Director of the Bureau of General Services within the Department of Administrative and Financial Services while the committee is repealed. Finally, the law gives authority for the joint standing committee of the Legislature having jurisdiction over state and local government matters to submit legislation in the first regular session of each biennium in order to act on the Secretary of State's report without the need for a joint order.

LD 1892 An Act To Allow the City of Auburn To Adjust the Definition of "Original Assessed Value" for the City of Auburn's Mall Area Municipal Tax Increment Financing District and the City of Auburn's Downtown Area Municipal Tax Increment Financing District

P & S 23

<u>Sponsor(s)</u>	<u>Committee Report</u>	<u>Amendments Adopted</u>
SAMSON SNOWE-MELLO	OTP	

LD 1892 allows the City of Auburn to define "original assessed value" for the City of Auburn's mall area tax increment financing district and the City of Auburn's downtown area tax increment financing district as the assessed value of those districts as of April 1, 2001.

Enacted Law Summary

Private & Special Law 2007, chapter 23 allows the City of Auburn to define "original assessed value" for the City of Auburn's mall area tax increment financing district and the City of Auburn's downtown area tax increment financing district as the assessed value of those districts as of April 1, 2001.

LD 1911 Resolve, To Authorize the State To Sell a Certain Property with Buildings Located within the City of Old Town

RESOLVE 117

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

LD 1911 directs the Executive Department, State Planning Office to sell a portion of the land, with buildings, acquired by the State during the purchase of the West Old Town Landfill. This fulfills the agreement the former