

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

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

Joint Standing Committee on State and Local Government

landfill owner had with United Cerebral Palsy of Northeastern Maine, which operates a temporary care facility at the site.

Enacted Law Summary

Resolve 2007, chapter 117 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 landfill owner had with United Cerebral Palsy of Northeastern Maine, which operates a temporary care facility at the site.

LD 1916 Resolve, Establishing an Apportionment Commission To Increase the Number of Androscoggin County Commissioners

RESOLVE 135

<u>Sponsor(s)</u>	<u>Committee Report</u>	<u>Amendments Adopted</u>
LANSLEY	OTP-AM MAJ ONTP MIN	H-507 H-608 BARSTOW

LD 1916 is a concept draft pursuant to Joint Rule 208. The bill proposes to increase the number of commissioners for Androscoggin County from 3 to 5. It puts the question out to the voters of Androscoggin County through a statewide referendum in November 2007.

Committee Amendment "A" (H-507)

This amendment replaces the bill with a resolve to establish an apportionment commission to develop a plan to redistrict Androscoggin County to increase the number of county commissioners to 5. The plan must be developed by October 1, 2007. The county commissioners may submit the plan to the county voters at referendum at the November 2007 election and to the Legislature for enactment during the Second Regular Session of the 123rd Legislature. If the plan is approved, the election for commissioners of the new county commissioner districts must take place at the November 2008 election.

House Amendment "A" (H-608)

This amendment allows the Androscoggin County commissioners to establish an apportionment commission to increase the number of county commissioners from 3 to 5. It delays any increase in county commissioners in Androscoggin County until the November 2010 election. If the Androscoggin County commissioners establish an apportionment commission, it requires the plan to be developed by October 1, 2009 for submission to the voters at the November 2009 election. If the plan is approved, the election for county commissioners would take place at the November 2010 election.

Enacted Law Summary

Resolve 2007, chapter 135 allows the Androscoggin County commissioners to establish an apportionment commission to increase the number of county commissioners in Androscoggin County from 3 to 5. If the Androscoggin County commissioners establish an apportionment commission, the plan must be developed by October 1, 2009 for submission to the voters at the November 2009 election. If the plan is approved, the election for county commissioners would take place at the November 2010 election.

LD 1922 Resolve, Authorizing the Commissioner of Administrative and Financial Services To Sell Interest in a Certain Parcel of Land

RESOLVE 120

<u>Sponsor(s)</u>	<u>Committee Report</u>	<u>Amendments Adopted</u>
CARTER	OTP-AM	H-583