

MAINE STATE LEGISLATURE

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STATE OF MAINE
123RD LEGISLATURE
SECOND REGULAR AND FIRST SPECIAL SESSIONS



Summaries of bills, adopted amendments and laws enacted or finally passed
during the Second Regular or First Special Sessions of the 123rd Maine
Legislature coming from the

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

May 2008

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STATE OF MAINE
123RD LEGISLATURE
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**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 Second Regular or First Special Sessions of the 123rd Maine Legislature.

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:

<i>CON RES XXX</i>	<i>Chapter # of Constitutional Resolution passed by both Houses</i>
<i>CONF CMTE UNABLE TO AGREE</i>	<i>Committee of Conference unable to agree; bill died</i>
<i>DIED BETWEEN BODIES</i>	<i>House & Senate disagree; bill died</i>
<i>DIED IN CONCURRENCE</i>	<i>One body accepts ONTP report; the other indefinitely postpones the bill</i>
<i>DIED ON ADJOURNMENT</i>	<i>Action incomplete when session ended; bill died</i>
<i>EMERGENCY</i>	<i>Enacted law takes effect sooner than 90 days</i>
<i>FAILED EMERGENCY ENACTMENT/FINAL PASSAGE</i>	<i>Emergency bill failed to get 2/3 vote</i>
<i>FAILED ENACTMENT/FINAL PASSAGE</i>	<i>Bill failed to get majority vote</i>
<i>FAILED MANDATE ENACTMENT</i>	<i>Bill imposing local mandate failed to get 2/3 vote</i>
<i>NOT PROPERLY BEFORE THE BODY</i>	<i>Ruled out of order by the presiding officers; bill died</i>
<i>INDEF PP</i>	<i>Bill Indefinitely Postponed; bill died</i>
<i>ONTP (or Accepted ONTP report)</i>	<i>Ought Not To Pass report accepted; bill died</i>
<i>P&S XXX</i>	<i>Chapter # of enacted Private & Special Law</i>
<i>PUBLIC XXX</i>	<i>Chapter # of enacted Public Law</i>
<i>RESOLVE XXX</i>	<i>Chapter # of finally passed Resolve</i>
<i>UNSIGNED</i>	<i>Bill held by Governor</i>
<i>VETO SUSTAINED</i>	<i>Legislature failed to override Governor's Veto</i>

The effective date for non-emergency legislation enacted in the Second Regular Session (R2) is June 30, 2008. The effective date for non-emergency legislation enacted in the First Special Session (S1) is July 18, 2008.¹ The effective date for legislation enacted as an emergency measure is specified in the enacted law summary for those bills. Any bill summarized in this document having an LD number less than 1932 was a bill carried over from the First Regular Session of the 123rd Legislature.

¹ The session in which each law was enacted or finally passed (R2 or S1) is included in Appendix C.

Joint Standing Committee on State and Local Government

LD 2111 An Act To Secure the Sites Necessary for the Statewide Radio and Network System

PUBLIC 488

<u>Sponsor(s)</u>	<u>Committee Report</u>	<u>Amendments Adopted</u>
BARSTOW	OTP-AM	H-670 S-424 SCHNEIDER

LD 2111 provides authority for the Department of Administrative and Financial Services, Bureau of General Services to conduct property transactions as necessary for the implementation of the statewide radio and network system, pursuant to the Maine Revised Statutes, Title 5, section 1520. This bill remedies an apparent oversight in the statute which requires that the radio and network system be established and provides a funding mechanism but does not provide the necessary real property transaction authority.

Committee Amendment "A" (H-670)

This amendment incorporates a fiscal note.

Senate Amendment "A" (S-424)

This amendment adds language that repeals the law 5 years after it takes effect.

Enacted Law Summary

Public Law 2007, chapter 488 provides authority for the Department of Administrative and Financial Services, Bureau of General Services to conduct property transactions as necessary for the implementation of the statewide radio and network system pursuant to the Maine Revised Statutes, Title 5, section 1520. This law is repealed 5 years after it takes effect.

LD 2147 An Act To Ensure That State Government Is a Model Employer of People with Disabilities

PUBLIC 551

<u>Sponsor(s)</u>	<u>Committee Report</u>	<u>Amendments Adopted</u>
MILLETT	OTP-AM	H-776

LD 2147 provides a General Fund appropriation of \$68,477 in fiscal year 2008-09 to the Bureau of Human Resources within the Department of Administrative and Financial Services to establish the position of Disability Employment Services Coordinator to review hiring and promotion procedures for workers with disabilities, expand outreach efforts, increase efforts to accommodate workers with disabilities and seek to increase the number of workers with disabilities within State Government.

Committee Amendment "A" (H-776)

This amendment replaces the bill. It requires all departments, agencies and instrumentalities of the State to submit their plans to increase the opportunities for individuals with disabilities to be hired in each unit to the Director of the Bureau of Human Resources within the Department of Administrative and Financial Services. The director shall submit a report on the plans to the joint standing committees of the Legislature having jurisdiction over state and local government matters and labor matters by March 1, 2009 and biennially after that. The report must include any changes to the plans, an assessment made by the director of the effectiveness of the plans and any proposed legislation. The report must also be submitted to the Governor's office.

Enacted Law Summary

Public Law 2007, chapter 551 requires all departments, agencies and instrumentalities of the State to submit their

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plans to increase the opportunities for individuals with disabilities to be hired in each unit to the Director of the Bureau of Human Resources within the Department of Administrative and Financial Services. The director shall submit a report on the plans to the joint standing committees of the Legislature having jurisdiction over state and local government matters and labor matters by March 1, 2009 and biennially after that. The report must include any changes to the plans, an assessment made by the director of the effectiveness of the plans and any proposed legislation. The report must also be submitted to the Governor's office.

LD 2188 Resolve, To Establish a Moratorium on Development in Saco Bay

RESOLVE 204

<u>Sponsor(s)</u>	<u>Committee Report</u>	<u>Amendments Adopted</u>
HOGAN DAMON	OTP-AM MAJ ONTP MIN	H-896

LD 2188 changes the municipal boundary between the Town of Old Orchard Beach and the City of Saco by extending the current easterly boundary of the Town of Old Orchard Beach to 3 miles seaward.

Committee Amendment "A" (H-896)

This amendment replaces the bill. It adopts a moratorium for 18 months on the processing or issuance of new submerged lands leases for commercial projects by the Department of Conservation, Bureau of Parks and Lands and aquaculture leases by the Department of Marine Resources. During the moratorium, the Town of Old Orchard Beach and the City of Saco may convene a working group to examine municipal boundaries, regulatory jurisdictions and parameters for future development in Saco Bay. If a working group is convened, the Director of the State Planning Office within the Executive Department, or the director's designee, should be invited to participate. In addition, representatives from the Department of Marine Resources, Department of Conservation, Bureau of Parks and Lands and any other departments determined necessary as well as municipal representatives from the Town of Scarborough and the City of Biddeford should be invited to participate. If a group is convened, it is authorized to submit a report to the joint standing committee of the Legislature having jurisdiction over state and local government matters no later than January 15, 2009, and the joint standing committee of the Legislature having jurisdiction over state and local government matters is authorized to submit legislation to the First Regular Session of the 124th Legislature.

Enacted Law Summary

Resolve 2007, chapter 204 imposes a moratorium for 18 months on the processing or issuance of new submerged lands leases for commercial projects by the Department of Conservation, Bureau of Parks and Lands and aquaculture leases by the Department of Marine Resources. During the moratorium, the Town of Old Orchard Beach and the City of Saco may convene a working group to examine municipal boundaries, regulatory jurisdictions and parameters for future development in Saco Bay. If a working group is convened, the Director of the State Planning Office within the Executive Department, or the director's designee, should be invited to participate. In addition, representatives from the Department of Marine Resources, Department of Conservation, Bureau of Parks and Lands and any other departments determined necessary as well as municipal representatives from the Town of Scarborough and the City of Biddeford should be invited to participate. If a group is convened, it is authorized to submit a report to the joint standing committee of the Legislature having jurisdiction over state and local government matters no later than January 15, 2009, and the joint standing committee of the Legislature having jurisdiction over state and local government matters is authorized to submit legislation to the First Regular Session of the 124th Legislature.