

MAINE STATE LEGISLATURE

The following document is provided by the
LAW AND LEGISLATIVE DIGITAL LIBRARY
at the Maine State Law and Legislative Reference Library
<http://legislature.maine.gov/lawlib>



Reproduced from scanned originals with text recognition applied
(searchable text may contain some errors and/or omissions)

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

MEMBERS:

SEN. ELIZABETH M. SCHNEIDER, CHAIR
SEN. JOSEPH C. BRANNIGAN
SEN. PAULA I. BENOIT

REP. CHRISTOPHER R. BARSTOW, CHAIR
STEPHEN R. BEAUDETTE
REP. JAMES M. SCHATZ
REP. ANDREA M. BOLAND
REP. TERESEA M. HAYES
REP. LAWRENCE G. SIROIS
REP. HENRY L. JOY
REP. PHILIP A. CURTIS
REP. H. DAVID COTTA
REP. WINDOL C. WEAVER

STAFF:

ANNA T. BROOME, LEGISLATIVE ANALYST
OFFICE OF POLICY AND LEGAL ANALYSIS
13 STATE HOUSE STATION
AUGUSTA, ME 04333
(207) 287-1670

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



**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 2302 An Act To Remove Impediments to Changing County Government Fiscal Years

PUBLIC 663

<u>Sponsor(s)</u>	<u>Committee Report</u>	<u>Amendments Adopted</u>
MILLETT	OTP-AM	H-979 H-995 BARSTOW

LD 2302 replaces specific dates in the laws governing some counties' budget procedures with a specified number of days prior to the end of the county fiscal year. Current law permits county commissioners to change their county's fiscal year. However, the laws governing some counties' budget procedures specify certain dates by which steps in the budgeting process must be completed, and those dates need to be changed in order for the commissioners to change their respective county's fiscal year.

Committee Amendment "A" (H-979)

This amendment strikes out the section of the bill that would have changed the date for payment of tax from the following September to the ninth month of the county's fiscal year. The amendment also standardizes other sections to match other specified numbers of days in the bill.

House Amendment "A" (H-995)

This amendment requires county commissioners to provide estimates of county taxes by April 15th for counties using a fiscal year from July to June. It also changes language regarding the timing of the election for Knox County budget committee members so that the committee members are still elected at the November election although their terms do not begin until the first day of the fiscal year.

Enacted Law Summary

Public Law 2007, chapter 663 replaces specific dates in the laws governing some counties' budget procedures with a specified number of days prior to the end of the county fiscal year. Current law permits county commissioners to change their county's fiscal year. However, the laws governing some counties' budget procedures specify certain dates by which steps in the budgeting process must be completed, and those dates need to be changed in order for the commissioners to change their respective county's fiscal year. County commissioners must provide estimates of county taxes by April 15th for counties using a fiscal year from July to June.

LD 2307 An Act To Restore Positions in the Office of Program Evaluation and Government Accountability

**PUBLIC 701
EMERGENCY**

<u>Sponsor(s)</u>	<u>Committee Report</u>	<u>Amendments Adopted</u>
RINES		S-639 MARTIN S-659 RAYE

LD 2307 provides funds to restore positions in the Office of Program Evaluation and Government Accountability that were eliminated in fiscal year 2008-09 in Public Law 2007, chapter 539, Part LLLL.

Senate Amendment "D" (S-639)

This amendment strikes the General Fund appropriation in the bill and instead repeals that section of Public Law 2007, chapter 539, Part LLLL that removed funding for positions in the Office of Program Evaluation and Government Accountability. It also increases from \$300,964 to \$495,964 the amount in the unencumbered balance forward in the All Other line category in the Office of Evaluation and Government Accountability General Fund account that lapses to the General Fund in fiscal year 2008-09.

Joint Standing Committee on State and Local Government

Senate Amendment "F" (S-659)

This amendment clarifies that the Director of the Office of Program Evaluation and Government Accountability shall work with relevant offices and agencies to facilitate the sharing of resources and coordination of program review across state government. It also requires that the director make recommendations to the Government Oversight Committee on performance standards in order to maximize the effectiveness of the Office of Program Evaluation and Government Accountability.

Enacted Law Summary

Public Law 2007, chapter 701 repeals Part LLLL of Public Law 2007, chapter 539 which had eliminated several positions in the Office of Program Evaluation and Government Accountability. The Director of the Office of Program Evaluation and Government Accountability shall work with relevant offices and agencies to facilitate the sharing of resources and coordination of program review across state government. The Director shall also make recommendations to the Government Oversight Committee on performance standards to maximize the effectiveness of the Office of Program Evaluation and Government Accountability. In addition, the law lapsed \$495,964 of unencumbered funds in the All Other line category in the Office of Evaluation and Government Accountability General Fund to the General Fund in fiscal year 2008-09.

Public Law 2007, chapter 701 was enacted as an emergency measure effective April 24, 2008.

LD 2321 An Act To Validate Certain Proceedings Authorizing the Issuance of Bonds and Notes by Maine School Administrative District No. 29

P & S 44
EMERGENCY

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

LD 2321 validates and authorizes the renovation project of Houlton High School in Maine School Administrative District No. 29 that voters approved in a referendum. The Town of Hammond within the school district failed to get the warrant for referendum countersigned by the selectmen as required by statute, which affects the bonds or notes to be issued in connection with the project.

Enacted Law Summary

Private and Special Law 2007, chapter 44 validates and authorizes the renovation project of Houlton High School in Maine School Administrative District No. 29 that voters approved in a referendum. The Town of Hammond within the school district failed to get the warrant for referendum countersigned by the selectmen as required by statute, which affects the bonds or notes to be issued in connection with the project.

Private and special Law 2007, chapter 44 was enacted as an emergency measure effective April 14, 2008.