

MAINE STATE LEGISLATURE

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STATE OF MAINE
124TH LEGISLATURE
FIRST REGULAR SESSION



Summaries of bills, adopted amendments and laws enacted or finally passed during the First Regular Session of the 124th Maine Legislature coming from the

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

July 2009

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STAFF:

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

* Rep. William P. Browne replaced Rep. Michael Celli for part of the First Regular Session. Rep. Celli will return for the Second Regular Session.

STATE OF MAINE

124TH 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 124th 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:

CARRIED OVER.....	Carried over to a subsequent session of the Legislature
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; bill died
ONTP (or Accepted ONTP report).....	Ought Not To Pass report accepted; bill died
P&S XXX.....	Chapter # of enacted Private & Special Law
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

The effective date for non-emergency legislation enacted in the First Regular Session of the 124th Legislature is September 12, 2009. 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

This bill changes references to the federally named Columbus Day to Heritage Day for use in the State.

**LD 211 RESOLUTION, Proposing an Amendment to the Constitution of Maine
To Change the Schedule for Redistricting**

INDEF PP

<u>Sponsor(s)</u>	<u>Committee Report</u>	<u>Amendments Adopted</u>
JONES RAYE	OTP-AM	

This bill is a resolution proposing to amend the Constitution of Maine to move the date of redistricting the congressional districts, Maine Legislature and counties from 2013 to 2012. The apportionment of the congressional districts, Maine Legislature and the counties is described in the Maine Revised Statutes and follow the Constitution of Maine.

Committee Amendment "A" (H-143)

This amendment changes the date of redistricting the congressional districts, Maine Legislature and counties to 2011.

**LD 226 An Act To Require a Vacancy in the Office of United States Senator To
Be Filled by Election**

INDEF PP

<u>Sponsor(s)</u>	<u>Committee Report</u>	<u>Amendments Adopted</u>
DIAMOND	OTP-AM MAJ ONTP MIN	

This bill changes the way in which a United States Senator is replaced when a vacancy occurs by requiring a special election within 60 days of the vacancy. Currently, the Governor appoints a qualified person to fill the vacancy until the successor is elected and qualified. Having a special election matches the way a vacancy in the office of Representative to Congress is filled.

Committee Amendment "A" (S-52)

This amendment, which is the majority report of the committee, removes the bill's proposed time limit of 60 days in which a primary and special election must be held to fill a vacancy in the office of United States Senator. It amends the language to match the language in statute to fill a vacancy in the office of Representative to Congress. The primary and special elections must be held as soon as reasonably possible if Congress is in session and before the next regular or called session if Congress is not in session.

**LD 236 An Act To Establish the Permanent Commission on the Status of
Women**

**PUBLIC 191
EMERGENCY**

<u>Sponsor(s)</u>	<u>Committee Report</u>	<u>Amendments Adopted</u>
PERCY SCHNEIDER	OTP-AM	H-215

Joint Standing Committee on State and Local Government

This bill creates the Permanent Commission on the Status of Women based on the law that created the Maine Commission for Women, which was repealed by Public Law 1991, chapter 622, Part S, sections 5 and 18.

Committee Amendment "A" (H-215)

The amendment makes the following changes to the bill.

1. It changes the membership of the Permanent Commission on the Status of Women. The Governor appoints 7 members rather than 9 and the President of the Senate and the Speaker of the House of Representatives appoint 5 members each rather than 4. Members of the Legislature may not be appointed to the commission. It also adds specific criteria for members appointed by the Governor.
2. It removes the position of executive director from the commission.
3. It provides that the commission will be staffed by the Secretary of State.
4. It moves the commission from the section of Title 5 listing independent advisory boards and places it in the section of boards with minimal authority with no line item in the budget.
5. It adds an emergency preamble and emergency clause.

Enacted Law Summary

Public Law 2009, chapter 191 establishes the Permanent Commission on the Status of Women. The Governor appoints 7 members and the President of the Senate and the Speaker of the House of Representatives appoint 5 members each. Members of the Legislature may not be appointed to the commission. The commission will be staffed by the Secretary of State.

Public Law 2009, chapter 191 was enacted as an emergency measure effective May 22, 2009.

LD 242 An Act To Repeal the Informed Growth Act

**ACCEPTED ONTP
REPORT**

<u>Sponsor(s)</u>	<u>Committee Report</u>	<u>Amendments Adopted</u>
HASTINGS	OTP-AM MAJ ONTP MIN	

This bill repeals the Informed Growth Act.

Committee Amendment "A" (S-162)

This amendment, which is the majority report, incorporates a fiscal note.