

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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* 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

LD 273 An Act To Require a Regional Review of Projects That Affect Areas Outside of the Community in Which the Project Is Proposed ONTP

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

This bill is a concept draft pursuant to Joint Rule 208. It proposes to have a regional review of a project if the project will have an adverse effect on more than the community in which the project will be located.

LD 279 An Act To Amend the Laws Governing the Fund for the Efficient Delivery of Local and Regional Services ONTP

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

This bill removes language that requires any amounts transferred to the Fund for the Efficient Delivery of Local and Regional Services in excess of \$500,000 in any fiscal year to be transferred to General Fund undedicated revenue.

LD 295 An Act To Contract Out the State Single Audit ACCEPTED ONTP REPORT

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

This bill requires the State Controller to contract with an independent auditor to conduct the state single audit of State Government every year beginning in 2010. It repeals the provision of law that currently gives the responsibility for the state single audit to the Department of Audit.

Committee Amendment "A" (H-14)

This amendment, which is the minority report, adds an appropriations and allocations section to the bill.

LD 304 Resolve, To Allow for the Support, Preservation and Maintenance of Maine Monuments in Gettysburg, Pennsylvania RESOLVE 37

<u>Sponsor(s)</u>	<u>Committee Report</u>	<u>Amendments Adopted</u>
DAVIS G	OTP-AM	S-84

Joint Standing Committee on State and Local Government

This bill is a concept draft pursuant to Joint Rule 208. It proposes to establish a commission to support, preserve and maintain Maine monuments at the Civil War battlefield in Gettysburg, Pennsylvania. The commission is to include a former Governor of the State, 2 former state Legislators, and 4 state Legislators, 2 of whom are Senators and 2 of whom are members of the House of Representatives. The commission must also include 3 members who are veterans of the United States Armed Forces and one member who is a member of an organization that represents veterans of the United States Armed Forces. The commission is allowed to seek outside funding to implement its mission.

Committee Amendment "A" (S-84)

This amendment replaces the concept draft. Instead of establishing a commission to preserve and maintain Maine monuments in Gettysburg, Pennsylvania, it requires the Director of the Bureau of Maine Veterans' Services within the Department of Defense, Veterans and Emergency Management to establish a nonlapsing special revenue interest-bearing account to receive donations. At appropriate times, the director shall disburse money to the United States Department of the Interior for the purpose of repairing and maintaining Maine monuments in Gettysburg, Pennsylvania.

Enacted Law Summary

Resolve 2009, chapter 37 requires the Director of the Bureau of Maine Veterans' Services within the Department of Defense, Veterans and Emergency Management to establish a nonlapsing special revenue interest-bearing account to receive donations to preserve and maintain Maine monuments at the Civil War battlefield in Gettysburg, Pennsylvania. At appropriate times, the director shall disburse money to the United States Department of the Interior to repair and maintain Maine monuments in Gettysburg, Pennsylvania.

LD 327 An Act To Strengthen Maine Small Business by Establishing a Preference Percentage for State Contract Bids

ONTP

<u>Sponsor(s)</u>	<u>Committee Report</u>	<u>Amendments Adopted</u>
BUTTERFIELD JACKSON	ONTP	

This bill requires the Director of the Bureau of General Services within the Department of Administrative and Financial Services to adopt rules establishing a preference percentage of up to 15% for Maine small businesses bidding for state contracts. The rules are routine technical rules.

LD 331 An Act To Clarify the Duties of Municipal Treasurers, Clerks and Tax Collectors

PUBLIC 193

<u>Sponsor(s)</u>	<u>Committee Report</u>	<u>Amendments Adopted</u>
TILTON RECTOR	OTP	

This bill prohibits municipal treasurers, clerks and tax collectors from commingling personal and municipal money.

Enacted Law Summary

Public Law 2009, chapter 193 prohibits municipal treasurers, clerks and tax collectors from commingling personal and municipal money.