

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 434

**RESOLUTION, Proposing an Amendment to the Constitution of Maine
To Provide for the Reduction in the Size of the Legislature**

ONTP

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

This bill is a resolution proposing to amend the Constitution of Maine to reduce the size of the House of Representatives from 151 members to 105 members and to establish in the Constitution of Maine the size of the Senate at 35 members. The redistricting will be done in 2010 during the Second Regular Session of the 124th Legislature and the adjustments in the size of each legislative body take effect in 2011.

LD 448

An Act To Modify the Informed Growth Act

PUBLIC 260

<u>Sponsor(s)</u>	<u>Committee Report</u>	<u>Amendments Adopted</u>
BEAUDETTE SULLIVAN	OTP-AM MAJ OTP-AM MIN	H-232

This bill exempts a municipality that has adopted a review process for large-scale retail development applications that include economic and community impacts from the Informed Growth Act.

Committee Amendment "A" (H-232)

This amendment, which is the majority report, replaces the bill. It clarifies that a municipality is exempt from the Informed Growth Act if the municipality has adopted an ordinance that contains requirements for determining the impact of large-scale retail development and includes an independent study of the community economic impacts of large-scale retail development. The study must be prepared by a preparer determined qualified by the Executive Department, State Planning Office and chosen by the municipality. The study must be presented at a public hearing.

Committee Amendment "B" (H-233)

This amendment, which is the minority report, replaces the bill. It clarifies that a municipality is exempt from the Informed Growth Act if the municipality adopts an ordinance requiring a determination of the impact of a large-scale retail development on the municipality and abutting municipalities and requires an independent study by a qualified preparer. It specifies that the study must consider the impacts on: existing retail operations; sales revenue generated and reinvested in the area; the effects on employment; retail wages and benefits; municipal revenues generated; municipal infrastructure; and the amount of public subsidies including tax increment financing. This amendment was not adopted.

Enacted Law Summary

Public Law 2009, chapter 260 exempts a municipality from the Informed Growth Act if the municipality has adopted an ordinance that contains requirements for determining the impact of large-scale retail development and includes an independent study of the community economic impacts of large-scale retail development. The study must be prepared by a preparer determined qualified by the Executive Department, State Planning Office and chosen by the municipality. The study must be presented at a public hearing.