

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 605 RESOLUTION, Proposing an Amendment to the Constitution of Maine
To Provide for the Popular Election of the Secretary of State**

**ACCEPTED ONTP
REPORT**

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

This bill is a resolution proposing to amend the Constitution of Maine to provide for direct popular election of the Secretary of State in the manner currently provided for the members of the Senate and the House of Representatives, beginning in 2010.

Committee Amendment "A" (S-12)

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

**LD 619 An Act To Rename Certain Unorganized Townships in Washington
County**

P & S 13

<u>Sponsor(s)</u>	<u>Committee Report</u>	<u>Amendments Adopted</u>
RAYE	OTP-AM	S-26

This bill authorizes the Washington County commissioners to seek approval from the residents of No. 14 Twp. to rename the township Cathance Township; the residents of T 18 ED BPP to rename the township Berry Township; the residents of No. 21 Twp. to rename the township Big Lake Township; the residents of T 27 ED BPP to rename the township Greenlaw Chopping Township; and the residents of T 31 MD BPP to rename the township Day Block Township.

Committee Amendment "A" (S-26)

This amendment removes all the ratification referenda from the bill. The new names will go into effect 90 days after adjournment of the First Regular Session of the 124th Legislature.

Enacted Law Summary

Private & Special Law 2009, chapter 13 changes the names of the following unorganized townships in Washington County: No. 14 Twp. is named Cathance Township; T 18 ED BPP is named Berry Township; No. 21 Twp. is named Big Lake Township; T 27 ED BPP is named Greenlaw Chopping Township; and T 31 MD BPP is named Day Block Township. The new names go into effect on September 12, 2009.

**LD 680 An Act To Hold Municipal Officers Harmless for a Determination That
a Town Way or Public Easement Is Considered Abandoned**

PUBLIC 59

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

Joint Standing Committee on State and Local Government

This bill ensures that municipal officers are not liable for any decision relating to an abandoned road by clarifying that the determination of the municipal officers regarding the status of a town way is a quasi-judicial decision under the Maine Tort Claims Act.

Enacted Law Summary

Public Law 2009, chapter 59 ensures that municipal officers are not liable for any decision relating to an abandoned road by clarifying that the determination of the municipal officers regarding the status of a town way is a quasi-judicial decision under the Maine Tort Claims Act.

LD 681 An Act To Lower the Cost of State Government in the Departments ACCEPTED ONTP
under the Purview of the Joint Standing Committee on State and Local REPORT
Government

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

This bill eliminates one Director of Leased Space position and 9 Public Service Manager positions within the General Government Service Center, Security and Employment Service Center, Natural Resources Service Center and Department of Health and Human Services Service Center. It also eliminates 4 Governor's Special Assistant positions.

Committee Amendment "A" (S-29)

This amendment, which is the minority report of the committee, removes the Director of Leased Space within the Department of Administrative and Financial Services, Bureau of General Services from the positions to be eliminated. It also removes the Deputy Director of Constituent Services from the positions to be eliminated in the Governor's Office and replaces it with the Deputy Chief of Staff.

LD 705 An Act To Clarify the Qualifications for the Position of State Archivist ACCEPTED ONTP
REPORT

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

This bill requires that the State Archivist have specific training and allows the holder of the position to be removed for cause under the Civil Service Law. It also sets compensation for the State Archivist within salary range 88 rather than current salary range 86.

Committee Amendment "A" (H-75)

This amendment, which is the minority report of the committee, removes the sections related to compensation for the State Archivist from the bill. The salary of the State Archivist remains in range 86. The amendment also clarifies that the requirement for specific training and the ability to remove the State Archivist for cause do not affect the current State Archivist.