

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 739

An Act To Clarify That the Assessor and Treasurer Are Incompatible Municipal Offices

PUBLIC 57

| <u>Sponsor(s)</u> | <u>Committee Report</u> | <u>Amendments Adopted</u> |
|-------------------|-------------------------|---------------------------|
| MILLS P | OTP-AM | S-27 |

This bill prohibits a person from holding the office of treasurer and assessor at the same time for the same municipality.

Committee Amendment "A" (S-27)

This amendment clarifies that the prohibition on a person holding the municipal officer and assessor positions at the same time applies to both elected and appointed assessors.

Enacted Law Summary

Public Law 2009, chapter 57 prohibits a person from holding the office of treasurer and assessor at the same time for the same municipality. The prohibition applies to both elected and appointed assessors.

LD 741

An Act To Authorize the Annexation of a Portion of Redington Township in Franklin County to the Town of Carrabassett Valley

ACCEPTED ONTP REPORT

| <u>Sponsor(s)</u> | <u>Committee Report</u> | <u>Amendments Adopted</u> |
|-------------------|--------------------------------|---------------------------|
| GOOLEY | OTP-AM A ONTP B OTP-AM C | |

This bill authorizes the annexation of a portion of Redington Township, Township T1 R2, West of Bingham's Kennebec Purchase in Franklin County by the Town of Carrabassett Valley subject to referendum.

Committee Amendment "A" (S-252)

This amendment, which is the majority report of the committee, authorizes the annexation by the Town of Carrabassett Valley of the whole of Redington Township, Township T1 R2, West of Bingham's Kennebec Purchase in Franklin County, rather than a portion of the township. It clarifies that the responsibility for property tax assessment will be the responsibility of the Town of Carrabasset Valley beginning in tax year 2010. It clarifies that a referendum to approve the annexation is required rather than a referendum at a town meeting. The referendum must take place before October 1, 2010. The amendment also strikes the emergency preamble and clause and changes the title.

Committee Amendment "B" (S-253)

The amendment, which is a minority report of the committee, replaces the bill with a resolve. It requires the Maine Land Use Regulation Commission to reexamine its decision to deny the application by Maine Mountain Power, LLC for Zoning Petition 702. The commission must reexamine the decision as soon as possible and may not take into account the scenic character of the area for this particular project.