

MAINE STATE LEGISLATURE

The following document is provided by the
LAW AND LEGISLATIVE DIGITAL LIBRARY
at the Maine State Law and Legislative Reference Library
<http://legislature.maine.gov/lawlib>



Reproduced from electronic originals
(may include minor formatting differences from printed original)

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

MEMBERS:

SEN. DEBORAH L. SIMPSON, CHAIR
SEN. TROY DALE JACKSON
SEN. JONATHAN T.E. COURTNEY

REP. STEPHEN R. BEAUDETTE, CHAIR
REP. JAMES M. SCHATZ
REP. ANDREA M. BOLAND
REP. TERESEA HAYES
REP. BRYAN T. KAENRATH
REP. MICHAEL J. WILLETTE
REP. H. DAVID COTTA
REP. WILLIAM P. BROWNE *
REP. TYLER CLARK
REP. LANCE EVANS HARVELL

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

LD 1019 An Act To Strengthen the Informed Growth Act

ONTP

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

This bill requires the comprehensive economic impact study under the Informed Growth Act for a large-scale retail development proposal of over 150,000 square feet of gross floor area to provide information concerning the average number of part-time and full-time employees of the prospective tenant who are covered by the prospective tenant's health insurance policy.

LD 1022 An Act To Amend the Laws Governing the Legislative Youth Advisory Council

Carried Over

<u>Sponsor(s)</u>	<u>Committee Report</u>	<u>Amendments Adopted</u>
PERRY J		

This bill amends the laws governing the Legislative Youth Advisory Council.

1. It expands the duties of the council to include establishing a communication network with other youth groups in the State, facilitating methods of receiving input from youth from geographically diverse areas of the State and developing criteria to be considered when recommending future members for appointment.
2. It directs the appointing authorities to give special consideration to youth who have already served on the council when making appointments and directs the appointing authorities to fill vacancies as soon as practicable.
3. It directs the council to include in its rules of procedure an attendance policy that authorizes revocation of membership for lack of attendance.

This bill was carried over to any special or regular session of the 124th Legislature by joint order, House Paper 1053.

LD 1028 An Act To Enhance Municipal Home Rule Statutes

**ACCEPTED ONTP
REPORT**

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

This bill allows a municipality to adopt an ordinance that denies corporations constitutional rights. It would allow a municipality to adopt an ordinance that states that a corporation may not be recognized as a person.

Joint Standing Committee on State and Local Government

Committee Amendment "A" (H-298)

This amendment, which is the minority report of the committee, clarifies that a municipality may adopt or enforce an ordinance that provides that a corporation or other business entity may not be afforded any constitutional rights, privileges, powers or protections that would enable the corporation or other business entity to avoid the enforcement of an ordinance or challenge an ordinance.

LD 1029 *An Act To Authorize Municipalities To Protect the Habitability of Rental Housing during Heating Fuel Emergencies*

PUBLIC 135

<u>Sponsor(s)</u>	<u>Committee Report</u>	<u>Amendments Adopted</u>
CASAVANT SULLIVAN	OTP-AM	H-76

This bill authorizes municipalities to provide for the delivery of heating fuel to rental housing units that are facing an imminent threat of becoming uninhabitable because of a lack of heating fuel. It establishes a set of procedures the municipality must follow before providing for the delivery of heating fuel that are designed to allow the landlord to avert municipal delivery of heating fuel by providing for the necessary delivery of heating fuel. The bill also provides for a municipal lien on the rental property in order to recover the direct and administrative costs associated with providing for the heating fuel.

Committee Amendment "A" (H-76)

This amendment removes the emergency preamble and the emergency clause from the bill.

Enacted Law Summary

Public Law 2009, chapter 135 authorizes municipalities to provide for the delivery of heating fuel to rental housing units that are facing an imminent threat of becoming uninhabitable because of a lack of heating fuel. It establishes a set of procedures the municipality must follow before providing for the delivery of heating fuel that are designed to allow the landlord to avert municipal delivery of heating fuel by providing for the necessary delivery of heating fuel. It also provides for a municipal lien on the rental property in order to recover the direct and administrative costs associated with providing for the heating fuel.

LD 1064 *An Act To Increase Efficiency through Regionalization*

ONTP

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

This bill allows appropriations of municipalities to be exempt from the property tax levy and appropriations of counties to be exempt from the county assessment limit if the appropriations are to study, initiate or consolidate a regional service for up to 10 years if the Department of Administrative and Financial Services determines that the services are needed and will be more efficient than present services, will save taxpayers money and will be paid for through the savings of consolidation or fees for the service.