

# MAINE STATE LEGISLATURE

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**STATE OF MAINE**  
124<sup>TH</sup> LEGISLATURE  
FIRST REGULAR SESSION



Summaries of bills, adopted amendments and laws enacted or finally passed during the First Regular Session of the 124<sup>th</sup> 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

124<sup>TH</sup> 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 124<sup>th</sup> 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 124<sup>th</sup> 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

This bill directs the commissioners of the Department of Conservation, the Department of Agriculture, Food and Rural Resources, the Department of Marine Resources and the Department of Inland Fisheries and Wildlife to reconfigure their departments. The four departments are required to report to the Joint Standing Committee on Agriculture, Conservation and Forestry, the Joint Standing Committee on Marine Resources and the Joint Standing Committee on Inland Fisheries and Wildlife by December 1, 2009 outlining the progress on the reorganization and to submit proposed legislation to the Second Regular Session of the 124th Legislature by March 1, 2010.

### LD 1271 An Act To Generate Savings by Changing Public Notice Requirements

PUBLIC 256

<u>Sponsor(s)</u>	<u>Committee Report</u>	<u>Amendments Adopted</u>
HAYES SCHNEIDER	OTP-AM	H-330

This bill requires the Secretary of State to maintain a publicly accessible website for the posting of notices of all proposed and adopted rules. It also changes the requirements for public notice of proposed rules in the newspaper with the intention of making the notices shorter. It removes from the newspaper notice the requirement to refer to the statutory or federal authority for the rule and replaces the requirement for the express terms of the proposed rule with a general statement on the substance. The notices posted on the publicly accessible website must meet the original requirements for the notice.

#### Committee Amendment "A" (H-330)

This amendment strikes the section from the bill that would have left the publication of adopted rules to the discretion of the agency.

#### Enacted Law Summary

Public Law 2009, chapter 256 requires the Secretary of State to maintain a publicly accessible website for the posting of notices of all proposed and adopted rules. It also changes the requirements for public notice of proposed rules in the newspaper with the intention of making the notices shorter. It removes from the newspaper notice the requirement to refer to the statutory or federal authority for the rule and replaces the requirement for the express terms of the proposed rule with a general statement on the substance. The notices posted on the publicly accessible website must meet the original requirements for the notice.

### LD 1312 An Act To Require a State Agency To Reference the Livable Wage in Information Published by That Agency

ACCEPTED ONTP  
REPORT

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

This bill directs any state agency that publishes information that refers to the federal poverty level to also refer to the Department of Labor livable wage scale in that publication. It also directs the Maine Council on Poverty and Economic Security to assess alternative measurements to the federal poverty level and to make recommendations for a state-specific poverty measurement to the Governor and the Legislature in its annual report by February 15, 2010.

#### Committee Amendment "A" (H-381)

## *Joint Standing Committee on State and Local Government*

This amendment, which is the minority report of the committee, removes from the bill the section directing state agencies that publish information that refers to the federal poverty level to also refer to the Department of Labor livable wage scale in that publication.

**LD 1313      *Resolve, Directing the State Planning Office To Prepare a Reorganization Plan***

**RESOLVE 89**

<u>Sponsor(s)</u>	<u>Committee Report</u>	<u>Amendments Adopted</u>
JOY	OTP-AM	H-329

This bill directs the Executive Department, State Planning Office to create a plan to reorganize the State Planning Office to only provide planning services to state agencies, with the agencies to provide staff support. It also directs the State Planning Office to study and recommend legislation to transfer certain other powers and duties of the office to other agencies in anticipation of the dissolution. The Joint Standing Committee on State and Local Government is authorized to submit emergency legislation to the Second Regular Session of the 124th Legislature in anticipation of the current organization of the State Planning Office ending on July 1, 2010.

**Committee Amendment "A" (H-329)**

This amendment replaces the bill with a resolve directing the Executive Department, State Planning Office to prepare a proposed reorganization plan that includes the office remaining responsible for the state-owned landfill.

**Enacted Law Summary**

Resolve 2009, chapter 89 directs the Executive Department, State Planning Office to prepare a proposed reorganization plan in which the office is nonregulatory in nature, performs planning services for agencies and is the agency responsible for the state-owned landfill. The report must be submitted to the Joint Standing Committee on State and Local Government by February 1, 2010. The committee is authorized to submit legislation related to the report to the Second Regular Session of the 124th Legislature.

**LD 1400      *An Act To Designate July 12th as Wyeth Day***

**PUBLIC 210  
EMERGENCY**

<u>Sponsor(s)</u>	<u>Committee Report</u>	<u>Amendments Adopted</u>
KRUGER RECTOR	OTP-AM	H-251

This bill establishes July 12th of each year as Wyeth Day, in honor of the birthday of Andrew Wyeth, to honor one of America's great artists who had long and lasting ties to the State.

**Committee Amendment "A" (H-251)**

This amendment changes the allocation in the Maine Revised Statutes, Title 1 from section 150-C to section 150-D. Public Law 2009, chapter 51 established Native American Veterans Day in Title 1, section 150-C.

**Enacted Law Summary**

Public Law 2009, chapter 210 establishes July 12th of each year as Wyeth Day, in honor of the birthday of Andrew Wyeth, to honor one of America's great artists who had long and lasting ties to the State.