

# 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**  
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

**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

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

Public Law 2009, chapter 210 was enacted as an emergency measure effective May 26, 2009.

**LD 1410 An Act To Restore the Historical Town Boundary between Harpswell and Brunswick**

**DIED ON  
ADJOURNMENT**

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

This bill restores the historical boundary line between the Town of Harpswell and the Town of Brunswick.

### Committee Amendment "A" (H-417)

This amendment, which is the minority report of the committee, replaces the bill. It requires the Town of Harpswell and the Town of Brunswick to hold at least 4 meetings before January 15, 2010 to discuss issues related to the town boundary, including marine resources management. The 2 towns must report their findings, including points of agreement and disagreement, to the Joint Standing Committee on State and Local Government by January 30, 2010. The Joint Standing Committee on State and Local Government has the authority to report out a bill to the Second Regular Session of the 124th Legislature. It also adds a mandate preamble.

**LD 1424 RESOLUTION, Proposing an Amendment to the Constitution of Maine To Establish a Unicameral Legislature**

**DIED BETWEEN  
HOUSES**

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

This bill is a resolution proposing to amend the Constitution of Maine to abolish the Senate and the House of Representatives and to replace them with a unicameral Legislature made up of 105 members who will be referred to as Senators. This reduction requires a reapportionment plan by the Legislature that convenes in December 2012 so that the Legislature elected in November 2014 is unicameral.

### Committee Amendment "A" (H-471)

This amendment, which is the minority report of the committee, changes the number of members of a unicameral Legislature from 105 members to 151 members.

**LD 1425 An Act Regarding Payment to Municipal and Quasi-municipal Entities for Emergency Response to Hazardous Materials Incidents**

**ONTP**

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

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

This bill provides that the owner or lessee of property to which municipal or quasi-municipal emergency services are dispatched in response to a hazardous materials incident is liable to the municipality or quasi-municipal entity that provides those emergency services for the cost of those emergency services.

**LD 1428     An Act Regarding the Pay of Tribal Representatives**

**PUBLIC 431  
EMERGENCY**

<u>Sponsor(s)</u>	<u>Committee Report</u>	<u>Amendments Adopted</u>
BLISS	OTP-AM	S-256 S-331 DIAMOND

This bill provides that the Tribal Representatives elected to the House are considered House members for compensation and other purposes.

**Committee Amendment "A" (S-256)**

This amendment clarifies that the member of the Penobscot Indian Nation and the member of the Passamaquoddy Indian Tribe elected to represent their tribes at the Legislature are entitled to receive the same salary and cost-of-living adjustments as members of the House of Representatives. The amendment also adds an appropriations and allocations section.

**Senate Amendment "A" To Committee Amendment "A" (S-331)**

This amendment removes the appropriations and allocations section.

**Enacted Law Summary**

Public Law 2009, chapter 431 clarifies that the member of the Penobscot Indian Nation and the member of the Passamaquoddy Indian Tribe elected to represent their tribes at the Legislature are entitled to receive the same salary and cost-of-living adjustments as members of the House of Representatives.

Public Law 2009, chapter 431 was enacted as an emergency measure effective June 17, 2009.

**LD 1453     An Act To Reform Natural Resources Agencies and Establish the  
Department of Natural Resources**

**ACCEPTED ONTP  
REPORT**

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

This bill sets up a process to reorganize the current Department of Agriculture, Food and Rural Resources, Department of Inland Fisheries and Wildlife, Department of Conservation and Department of Marine Resources into one Department of Natural Resources, effective July 1, 2009. The Department of Natural Resources is established to improve agriculture and strengthen rural life; enhance inland fisheries and wildlife resources; enhance the land resources of the State, including through coordinated planning for the future allocation of lands for recreational, forest production, mining and other public and private uses; and conserve and develop marine and estuarine resources, including for coastal fishing industries. The department must include administration of resource development and promotion, resource management and operations and customer service. The bill authorizes the