

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

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

Joint Standing Committee on State and Local Government

appointment of an acting Commissioner of Natural Resources and directs the acting commissioner to develop a plan for the organization of the new department and implementing legislation. The acting commissioner is also directed as part of the reorganization to implement recommendations 1 to 8 of the 2008 report of the Natural Resource Agency Task Force appointed by the Governor to implement Public Law 2007, chapter 539, Part YY, section 2. The acting Commissioner of Natural Resources shall report implementing legislation for the reorganization to the Legislature by January 1, 2010. Savings from the reorganization must be reinvested in the Department of Natural Resources.

Committee Amendment "A" (S-212)

This amendment, which is the minority report of the committee, replaces the bill with a resolve. It requires the commissioners of the 4 natural resources departments to develop a report that will implement the 8 consensus recommendations of the Governor's natural resources agency task force. The report is due to the Joint Standing Committee on State and Local Government by January 15, 2010, and the committee has the authority to submit legislation to the Second Regular Session of the 124th Legislature.

LD 1480 Resolve, Regarding the Maine State Cultural Building in Augusta

RESOLVE 91

Sponsor(s)

Committee Report

Amendments Adopted

This bill amends Resolve 2007, chapter 151, which directed the Director of the Bureau of General Services within the Department of Administrative and Financial Services to provide a report on the status and future of the Maine State Cultural Building in Augusta and authorized the Joint Standing Committee on State and Local Government to submit legislation to the First Regular Session of the 124th Legislature. This resolve authorizes the joint standing committee to also submit legislation to the Second Regular Session of the 124th Legislature.

Enacted Law Summary

Resolve 2009, chapter 91 amends Resolve 2007, chapter 151, which directed the Director of the Bureau of General Services within the Department of Administrative and Financial Services to provide a report on the status and future of the Maine State Cultural Building in Augusta and authorized the Joint Standing Committee on State and Local Government to submit legislation to the First Regular Session of the 124th Legislature. This resolve authorizes the joint standing committee to also submit legislation to the Second Regular Session of the 124th Legislature.