

# 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  
SECOND REGULAR SESSION



Summaries of bills, adopted amendments and laws enacted or finally passed during the Second Regular Session of the 124<sup>th</sup> Maine Legislature coming from the

**JOINT STANDING COMMITTEE ON STATE AND LOCAL  
GOVERNMENT**

April 2010

**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. MICHAEL CELLI  
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

# STATE OF MAINE

124<sup>TH</sup> LEGISLATURE  
SECOND 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 Second 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 HOUSES*..... 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 Second Regular Session of the 124<sup>th</sup> Legislature is Monday, July 12, 2010. 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 1512 An Act To Amend the Laws Governing the Somerset County Budget Procedure**

**PUBLIC 576  
EMERGENCY**

<u>Sponsor(s)</u>	<u>Committee Report</u>	<u>Amendments Adopted</u>
CURTIS	OTP-AM MAJ OTP-AM MIN	H-640

This bill amends the laws governing the procedure for adopting the Somerset County budget by allowing the budget to be increased, decreased or altered by the budget committee based on information obtained during the public hearing process. The budget must be approved by a majority vote of the budget committee at a meeting called for that purpose. The county commissioners may adopt the budget as submitted by the budget committee or after increasing, decreasing or altering the proposed budget by a majority vote by June 30th. Current law requires a unanimous vote of the commissioners to change the budget. The bill also requires that, if the county does not approve a new budget, it must operate on an interim budget not to exceed the previous year's budget. Current law requires that, if the county does not approve a new budget, it operates on an interim budget not to exceed 80% of the previous year's budget.

**Committee Amendment "A" (H-639)**

This amendment, which is the majority report, removes language in the bill that would change the Somerset County budget committee's procedure for adopting a budget and instead requires the budget committee to enter the reasons for any changes made to the proposed county budget into the minutes of the budget committee meeting. It clarifies that the budget committee must adopt the budget by a majority vote of the budget committee and requires that the budget must be adopted at a meeting no later than 15 days prior to the beginning of the county's fiscal year. It retains the process in current law of allowing the county commissioners to change the budget by unanimous vote and the budget committee to reject that change by a 2/3 vote of its membership. This amendment was not adopted.

**Committee Amendment "B" (H-640)**

This amendment, which is the minority report, strikes out the section related to changing the budget adoption procedure of the Somerset County budget committee. It retains the section that requires the county to operate on an interim budget that does not exceed the previous year's budget if the budget is not approved before the start of the fiscal year.

**Enacted Law Summary**

Public Law 2009, chapter 576 allows Somerset County to operate on an interim budget that does not exceed the previous year's budget if the budget is not approved before the start of the fiscal year.

Public Law 2009, chapter 576 was enacted as an emergency measure effective March 31, 2010.

**LD 1513 An Act To Authorize Municipal Officers To Resolve Road-naming Disputes**

**PUBLIC 477**

<u>Sponsor(s)</u>	<u>Committee Report</u>	<u>Amendments Adopted</u>
MAGNAN	OTP-AM	H-596

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

This bill authorizes municipal officers to make the final decision when there is a dispute in the naming of a town way, private way or private road for E-9-1-1 purposes.

### **Committee Amendment "A" (H-596)**

This amendment clarifies that the decision of the municipal officers is final when there is a dispute over the naming of a town way, private way or private road for E-9-1-1 purposes unless a local ordinance or charter states otherwise.

### **Enacted Law Summary**

Public Law 2009, chapter 477 authorizes that municipal officers make the final decision when there is a dispute over the naming of a town way, private way or private road for E-9-1-1 purposes unless there is a local ordinance or charter that states otherwise.

### **LD 1534    An Act To Ensure That Substantial State Contracts Receive Adequate Legal Review**

**ONTP**

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

This bill requires state agencies and departments to submit to the Attorney General every proposed contract for the purchase of goods or services that has a total contract price that exceeds \$3,000,000 or that exposes the State to substantial risk in the event of nonperformance.

### **LD 1554    An Act Regarding Document Fees at County Registries of Deeds**

**PUBLIC 575**

<u>Sponsor(s)</u>	<u>Committee Report</u>	<u>Amendments Adopted</u>
CROCKETT P	OTP-AM	H-669 S-449   SIMPSON

This bill increases the filing fee that county registers of deeds may charge for the second and subsequent pages of documents from \$2 to \$4 and clarifies the "reasonable fee" that may be charged for obtaining abstracts and copies of records. It states that the Freedom of Access Act in the Maine Revised Statutes Title 1, chapter 13 does not apply to public inspection and copying fees for records maintained by the county registry office. The bill also requires persons who obtain records from registers of deeds and subsequently sell or distribute those records to indicate on the records that they are not official copies.

### **Committee Amendment "A" (H-669)**

This amendment limits the exemption from the freedom of access law in Title 1, chapter 13 to copying fees so that the Maine Revised Statutes, Title 33, chapter 11 prevails for the purpose of setting fees for copying registry documents. It removes the increase in recording fees from the bill. The amendment clarifies that copying fees can be different depending on the type of document being copied. It also increases the factors that can be used to determine a reasonable fee for copying registry documents to include contract and contractor costs for database maintenance and for online provision and bulk transfer of copies in a manner that protects the security and integrity of registry documents.