

MAINE STATE LEGISLATURE

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STATE OF MAINE
125TH LEGISLATURE
FIRST REGULAR SESSION



Summaries of bills, adopted amendments and laws enacted or finally passed

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

July 2011

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LEGISLATIVE DIGEST OF BILL SUMMARIES AND
ENACTED LAWS

This *Legislative Digest of Bill Summaries and Enacted Laws* summarizes all LDs and adopted amendments and all laws enacted or finally passed during the First Regular Session of the 125th Maine Legislature.

The *Digest* is arranged alphabetically by committee and within each committee by Legislative Document (LD) number. The committee report(s), prime sponsor and lead co-sponsor(s), if designated, are listed below each LD 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 LD is noted to the right of the LD title. The following describes the various final actions.

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; legislation died
DIED BETWEEN HOUSES..... House & Senate disagreed; legislation died
DIED IN CONCURRENCE..... defeated in each house, but on different motions; legislation died
DIED ON ADJOURNMENT..... action incomplete when session ended; legislation died
EMERGENCY..... enacted law takes effect sooner than 90 days after session adjournment
FAILED, EMERGENCY ENACTMENT or FINAL PASSAGE emergency failed to receive required 2/3 vote
FAILED, ENACTMENT or FINAL PASSAGE..... failed to receive final majority vote
FAILED, MANDATE ENACTMENT legislation proposing local mandate failed required 2/3 vote
HELD BY GOVERNOR..... Governor has not signed; final disposition to be determined at subsequent session
LEAVE TO WITHDRAW..... sponsor's request to withdraw legislation granted
NOT PROPERLY BEFORE THE BODY..... ruled out of order by the presiding officer; legislation died
INDEF PP..... indefinitely postponed; legislation died
ONTP, ACCEPTED, MAJORITY, MINORITY or REPORT X... ought-not-to-pass report accepted; legislation died
P&S XXX..... chapter # of enacted private & special law
PUBLIC XXX..... chapter # of enacted public Law
RESOLVE XXX..... chapter # of finally passed resolve
VETO SUSTAINED..... Legislature failed to override Governor's veto

The effective date for non-emergency legislation enacted in the First Regular Session of the 125th Legislature is September 28, 2011. The effective date for legislation enacted as an emergency measure may be found in the enacted law summary for that legislation.

Joint Standing Committee on State and Local Government

LD 20 An Act Establishing a Vietnam War Remembrance Day

PUBLIC 92

<u>Sponsor(s)</u>	<u>Committee Report</u>	<u>Amendments Adopted</u>
BRIGGS PATRICK	OTP-AM	H-104 CORNELL DU HOUX H-29

This emergency bill designates March 29th of each year as Vietnam Veterans Day, in commemoration of the date in 1973 when the last United States troops were withdrawn from the war zone.

Committee Amendment "A" (H-29)

This amendment directs the Department of Defense, Veterans and Emergency Management to work with the Governor's office and the United States Department of Defense to develop a program to commemorate the contribution of Maine veterans in the Vietnam War in conjunction with the 10-year federal program being developed to recognize the 50th anniversary of the Vietnam War.

House Amendment "D" To Committee Amendment "A" (H-104)

This amendment changes the name of the day of observance from "Vietnam Veterans Day" to "Vietnam War Remembrance Day," changes the date from March 29th to March 30th and requires in 10 years a review by the joint standing committee of the Legislature having jurisdiction over veterans matters of the statutory language establishing the day of remembrance. This amendment retains the provision in Committee Amendment "A" that directs the Department of Defense, Veterans and Emergency Management to work with the Governor's office and the United States Department of Defense to develop a commemorative day to recognize the 50th anniversary of the Vietnam War. The amendment removes the emergency preamble from the original bill.

Enacted Law Summary

Public Law 2011, chapter 92 establishes Vietnam War Remembrance Day on March 30th of each year. It requires the joint standing committee of the Legislature having jurisdiction over veterans matters to review the statutory language establishing the day of remembrance after 10 years. It directs the Department of Defense, Veterans and Emergency Management to work with the Governor's office and the United States Department of Defense to develop a commemorative day to recognize the 50th anniversary of the Vietnam War.

LD 32 An Act To Require an Independent Audit of State Government Every 4 Years

**MAJORITY
(ONTP) REPORT**

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

This bill requires the State Controller within the Department of Administrative and Financial Services to contract with an independent auditor to conduct a single fiscal year financial audit of State Government every 4 years beginning in 2013.

Committee Amendment "A" (H-150)

Joint Standing Committee on State and Local Government

This amendment, which is the minority report of the committee, adds an appropriations and allocations section to the bill.

LD 33 An Act To Prohibit Constitutional Officers from Endorsing Candidates ONTP
for the Legislature

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

This bill prohibits constitutional officers from endorsing candidates for the Legislature or using their titles or allowing their titles to be used for political purposes not necessary for the administration of their offices.

LD 40 RESOLUTION, Proposing an Amendment to the Constitution of Maine DIED BETWEEN
To Reduce the Size of the House of Representatives HOUSES

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

This resolution proposes to amend the Constitution of Maine to reduce the size of the House of Representatives from 151 members to 131 members. The proposal would be presented to the voters for their approval in November 2012, and after voter approval the Legislature that convenes in 2013 would submit a reapportionment plan to implement the reduction in the size of the House of Representatives. The reduction in the size of the House of Representatives would take effect in 2015.

Committee Amendment "A" (H-198)

This amendment, which is the minority report of the committee, incorporates a fiscal note.

Senate Amendment "C" (S-169)

This amendment reduces the size of the Senate to an odd number of Senators, ranging from 31 to 33, beginning in 2015.

LD 62 An Act Relating to the State Bid Process ONTP

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

This bill amends the competitive bid process by requiring that rules adopted by the State Purchasing Agent within the Department of Administrative and Financial Services allow bidders the option of submitting bids in hard-copy format.