

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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ANNA T. BROOME, LEGISLATIVE ANALYST
OFFICE OF POLICY AND LEGAL ANALYSIS
13 STATE HOUSE STATION
AUGUSTA, ME 04333
(207) 287-1670

STATE OF MAINE
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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 69 An Act To Restore the Historical Town Boundary between Harpswell and Brunswick

**MAJORITY
(ONTP) REPORT**

<u>Sponsor(s)</u>	<u>Committee Report</u>	<u>Amendments Adopted</u>
OLSEN SAVIELLO	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-552)

This amendment is the minority report of the committee. It changes the boundary between the Town of Harpswell and the Town of Brunswick in the bill to exclude property that was inadvertently included and is currently within the boundary of the Town of West Bath. The amendment also preserves the Town of Brunswick's authority to regulate and enforce shellfish harvesting in the intertidal zone despite a change in the boundary.

LD 71 An Act To Designate the Whoopie Pie as the State Treat

PUBLIC 29

<u>Sponsor(s)</u>	<u>Committee Report</u>	<u>Amendments Adopted</u>
DAVIS THOMAS	OTP-AM MAJ ONTP MIN	H-20 PILON H-8

This bill designates the whoopie pie as the official state dessert.

Committee Amendment "A" (H-8)

This amendment, which is the majority report of the committee, designates the whoopie pie as the official state treat rather than the state dessert. It also clarifies that it is made of two cakes rather than two chocolate cakes.

House Amendment "A" To Committee Amendment "A" (H-20)

This amendment designates that the blueberry pie, made with wild Maine blueberries, is the official state dessert.

Enacted Law Summary

Public Law 2011, chapter 29 designates the whoopie pie as the official state treat and the blueberry pie, made with wild Maine blueberries, as the official state dessert.

LD 72 An Act To Require State Agencies To Give Priority to State Armories When Renting Space for Meetings

ONTP

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

Joint Standing Committee on State and Local Government

This bill requires state departments and agencies that hold meetings or other activities outside of their normal locations to give priority to space in state armories within a reasonable distance unless another location is required by law or an armory is not available that contains facilities that are necessary for the meeting or activity. The substance of this bill was incorporated in Executive Order 15 FY 11/12.

**LD 81 An Act To Change the Name of Township 3, Range 9, NWP, to Cedar Lake Township P & S 2
EMERGENCY**

<u>Sponsor(s)</u>	<u>Committee Report</u>	<u>Amendments Adopted</u>
CLARK H THOMAS	OTP-AM	H-15

This bill authorizes the Penobscot County commissioners to seek approval from the residents of Township 3, Range 9, NWP, to rename the township Cedar Lake Township.

Committee Amendment "A" (H-15)

This amendment clarifies that the bill is an emergency only for the purpose of submitting the question of the name change to the voters. The name change takes effect upon its acceptance by a majority of the legal voters voting at the election. The amendment also adds a mandate preamble.

Enacted Law Summary

Private and Special Law 2011, chapter 2 authorizes the Penobscot County commissioners to seek approval from the residents of Township 3, Range 9, NWP, to rename the township Cedar Lake Township.

Private and Special Law 2011, chapter 2 was enacted as an emergency measure effective March 31, 2011.

LD 86 An Act To Provide Certainty to Businesses and Development PUBLIC 63

<u>Sponsor(s)</u>	<u>Committee Report</u>	<u>Amendments Adopted</u>
SCHNEIDER	OTP-AM	S-33

This bill provides that a municipality may not nullify or amend a municipal land use permit by a subsequent enactment, amendment or repeal of a local ordinance after a period of 75 days has passed after the permit has received its lawful final approval and, if required, a public hearing was held on the permit. It also specifies that this provision does not affect any municipal ordinance that provides for a lapse of the permit or authority granted pursuant to the permit after a certain period of time.

Committee Amendment "A" (S-33)

This amendment changes the number of days after which a municipal land use permit may not be nullified or amended from 75 days, as proposed in the bill, to 45 days. The amendment clarifies that a municipal land use permit may not be nullified or amended by the nullification or amendment of another municipal permit.

Enacted Law Summary

Public Law 2011, chapter 63 provides that a municipality may not nullify or amend a municipal land use permit by a subsequent enactment, amendment or repeal of a local ordinance after a period of 45 days has passed after the permit