

# MAINE STATE LEGISLATURE

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**STATE OF MAINE**  
125<sup>TH</sup> 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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**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  
125<sup>TH</sup> LEGISLATURE  
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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 125<sup>th</sup> 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 125<sup>th</sup> 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**

- 4. It removes the section that would have allowed an audit recovery consultant to pursue judicial action on behalf of the State.
- 5. It changes the way an audit recovery consultant is paid by setting up an audit recovery account out of which the consultant is paid.
- 6. It requires the State Controller to report to the Joint Standing Committee on Appropriations and Financial Affairs and the Joint Standing Committee on State and Local Government rather than the Legislature as a whole.
- 7. It makes rulemaking by the State Controller optional rather than mandatory.

**Enacted Law Summary**

Public Law 2011, chapter 21 requires the State Controller to contract with one or more consultants to conduct recovery audits of payments made by state agencies to vendors to identify payments made in error and to recommend improvements for state agency accounting. A recovery audit must be conducted at least once every ten years. The Department of Administrative and Financial Services shall establish an audit recovery account in which all recovered money shall be deposited and the consultant shall be paid by the State Controller out of that account. The State Controller shall forward the audit reports to the Governor, the State Auditor, the Joint Standing Committee on Appropriations and Financial Affairs and the Joint Standing Committee on State and Local Government on a biennial basis.

Public Law 2011, chapter 21 was enacted as an emergency measure effective April 11, 2011.

**LD 113      RESOLUTION, Proposing an Amendment to the Constitution of Maine      ONTP**  
**To Provide 4-year Terms and a Term Limit of 2 Terms for Legislators**

| <u>Sponsor(s)</u> | <u>Committee Report</u> | <u>Amendments Adopted</u> |
|-------------------|-------------------------|---------------------------|
| CEBRA<br>THOMAS   | ONTP                    |                           |

This resolution proposes to amend the Constitution of Maine to change the terms of Senators and members of the House of Representatives to four years beginning with the statewide election in 2012 and to correspondingly increase the span of a single Legislature from two to four years. It also proposes a term limit of no more than two consecutive terms.

**LD 122      An Act To Change Health Care Provisions for Retired Legislators      ONTP**

| <u>Sponsor(s)</u> | <u>Committee Report</u> | <u>Amendments Adopted</u> |
|-------------------|-------------------------|---------------------------|
| KESCHL<br>KATZ    | ONTP                    |                           |

Current law allows a person who retires from the Legislature to participate in the State's group health plan as long as that person participated for at least one year in the group health plan prior to retiring. This bill removes from eligibility for participation in the group health plan a person who retires from the Legislature after January 1, 2011 and whose only creditable service is as a member of the Legislature. A person who has other creditable service as a teacher or member of the Maine Public Employees Retirement System retains eligibility for participation in the group health plan upon retirement.