

# 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**  
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

**MEMBERS:**

SEN. DOUGLAS A. THOMAS, CHAIR  
SEN. RONALD F. COLLINS  
SEN. NANCY B. SULLIVAN

REP. H. DAVID COTTA, CHAIR  
REP. LANCE EVANS HARVELL  
REP. BRADLEY S. MOULTON  
REP. MICHAEL CELLI  
REP. BETH P. TURNER  
REP. ANDREA M. BOLAND  
REP. BRYAN T. KAENRATH  
REP. BRIAN D. BOLDUC  
REP. ALAN M. CASAVANT  
REP. ANNE P. GRAHAM

**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  
FIRST REGULAR SESSION



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*

**LD 174      An Act To Amend the Law Governing Employment, Discipline and  
Dismissal of Chief Deputy Sheriffs**

**PUBLIC 15**

<u>Sponsor(s)</u>	<u>Committee Report</u>	<u>Amendments Adopted</u>
DION	OTP-AM	H-16

This bill provides that the selection, employment and disciplinary restrictions placed on county officers and department heads with respect to their employees do not apply to a county sheriff with respect to the sheriff's chief deputy.

**Committee Amendment "A" (H-16)**

This amendment adds a requirement that the chief deputy sheriff hold the same qualifications as a sheriff.

**Enacted Law Summary**

Public Law 2011, chapter 15 provides that the selection, employment and disciplinary restrictions placed on county officers and department heads with respect to their employees do not apply to a county sheriff with respect to the sheriff's chief deputy. It also requires the chief deputy sheriff to hold the same qualifications as a sheriff.

**LD 189      An Act To Achieve Cost Savings by Eliminating Deputy Commissioner  
Positions throughout State Government**

**ONTP**

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

This bill eliminates, by the end of fiscal year 2010-11, all deputy commissioner positions in State Government.

**LD 214      An Act To Establish Governor William King Day**

**PUBLIC 17**

<u>Sponsor(s)</u>	<u>Committee Report</u>	<u>Amendments Adopted</u>
GOODALL	OTP-AM	S-6

This bill establishes Governor William King Day in honor of the first governor of Maine, on February 9th, William King's birthday.

**Committee Amendment "A" (S-6)**

This amendment establishes Governor William King Day on March 16th, to fall the day after Statehood Day, instead of February 9th.

**Enacted Law Summary**

*Joint Standing Committee on State and Local Government*

Public Law 2011, chapter 17 establishes Governor William King Day on March 16th, the day after Statehood Day.

**LD 222      An Act To Provide for the Appointment of Division Directors in the Department of Environmental Protection      INDEF PP**

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

This bill adds division directors within bureaus of the Department of Environmental Protection to the list of major policy-influencing positions. The effect of this change is that these positions will no longer be classified service positions within an employee bargaining unit but will become unclassified service positions appointed by the Commissioner of Environmental Protection.

This bill was not referred to committee but was indefinitely postponed on reference.

**LD 278      An Act To Allow the Towns of Mapleton, Castle Hill and Chapman To Adopt a Policy To Simplify the Municipal Disbursement Warrant Process      P & S 13**

<u>Sponsor(s)</u>	<u>Committee Report</u>	<u>Amendments Adopted</u>
WILLETTE A SHERMAN	OTP-AM	H-367

This bill allows municipalities that have entered into an interlocal agreement pursuant to the Maine Revised Statutes, Title 30-A, chapter 115 to adopt a written policy that allows their treasurer to disburse money when a disbursement warrant has been signed by the chair of the municipal officers in each municipality involved in the interlocal agreement. Current law requires the warrant to be voted on and signed by a majority of the municipal officers in each municipality.

**Committee Amendment "A" (H-367)**

This amendment replaces the bill. It amends the private and special law that allows the towns of Mapleton, Castle Hill and Chapman to use one depository account for the three towns. The amendment allows the three towns to adopt a policy to permit the disbursement of money when a warrant has been signed by one or more designated municipal officers representing each town. A facsimile signature of the municipal officers may be used. The policy must be filed with the town clerk and the municipal treasurer in each town and renewed annually by a vote of the municipal officers in each town.

**Enacted Law Summary**

Private and Special Law 2011, chapter 13 allows the towns of Mapleton, Castle Hill and Chapman to adopt a policy to permit the disbursement of money when a warrant has been signed by one or more designated municipal officers representing each town. A facsimile signature of the municipal officers may be used. The policy must be filed with the town clerk and the municipal treasurer in each town and renewed annually by a vote of the municipal officers in each town.