

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 460 An Act To Require Executive Orders To Be Published Online

**LEAVE TO
WITHDRAW**

<u>Sponsor(s)</u>	<u>Committee Report</u>	<u>Amendments Adopted</u>
CAREY	LV/WD	

This bill requires the Secretary of State to publish on a publicly accessible website all executive orders in effect and, for an executive order issued after this bill takes effect, within 24 hours of the order's issuance.

LD 478 An Act To Strengthen Maine Small Business by Establishing a Preference Percentage for State Contract Bids

ONTP

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

This bill requires the Director of the Bureau of General Services within the Department of Administrative and Financial Services to adopt rules establishing a preference percentage of up to 15% for Maine small businesses bidding for state contracts. The rules are routine technical rules.

LD 494 RESOLUTION, Proposing an Amendment to the Constitution of Maine To Change the Schedule for Redistricting

CON RES 1

<u>Sponsor(s)</u>	<u>Committee Report</u>	<u>Amendments Adopted</u>
KESCHL	OTP-AM MAJ ONTP MIN	H-565 KESCHL H-76

This resolution proposes to amend the Constitution of Maine to change the years of redistricting the Legislature after 2013 from 2023 and every 10th year thereafter to 2021 and every 10th year thereafter.

Committee Amendment "A" (H-76)

This amendment incorporates a fiscal note.

House Amendment "B" (H-565)

This amendment includes in the constitutional resolution the reapportionment process for congressional districts and for county commissioner districts.

Enacted Law Summary

Constitutional Resolution 2011, chapter 1 is a resolution to amend the Constitution of Maine to change the years of redistricting the Legislature, congressional districts and county commissioner districts to 2021 and every 10th year

Joint Standing Committee on State and Local Government

thereafter. This resolution must be approved by a majority of the legal votes cast at the statewide election in November in order for this amendment to become part of the Constitution of Maine.

LD 497 An Act To Amend the Powers and Duties of Municipal Treasurers INDEF PP

<u>Sponsor(s)</u>	<u>Committee Report</u>	<u>Amendments Adopted</u>
GIFFORD THIBODEAU	OTP	

This bill provides that written policies adopted by municipal officers permitting certain disbursements remain in effect until amended or revoked instead of being renewed every year.

LD 541 An Act To Clarify the Boundary between the Town of Cushing and the Town of Friendship, Town of Warren, Town of Thomaston and Town of Waldoboro P & S 4

<u>Sponsor(s)</u>	<u>Committee Report</u>	<u>Amendments Adopted</u>
RICHARDSON W TRAHAN	OTP-AM	H-109

This bill clarifies the boundary line between the Town of Cushing and the Town of Friendship.

Committee Amendment "A" (H-109)

This amendment corrects some technical errors in the bill. It clarifies that the boundary being described is between the Town of Cushing and the Town of Friendship, Town of Warren, Town of Thomaston and Town of Waldoboro rather than only the Town of Friendship. It corrects a reference to the location of a monument and a reference to the thread of the Meduncook River. The amendment also requires the municipal officers of the towns to sign the plan before it is filed with the Registry of Deeds.

Enacted Law Summary

Private and Special Law 2011, chapter 4 clarifies the boundary between the Town of Cushing and the Towns of Friendship, Warren, Thomaston and Waldoboro. The municipal officers of the towns are required to sign the plan before it is filed with the Registry of Deeds.

LD 543 An Act To Protect Legislative Intent in Rulemaking Carried Over

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

This bill is a concept draft pursuant to Joint Rule 208. This bill requires the review of agency rulemaking authority and establishes clearer distinctions between major substantive rules and routine technical rules to ensure that legislative grants of rulemaking authority are clear and specific enough to not result in agency misunderstanding of