

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

legislative intent or overly broad construction of the grant of rulemaking authority.

Committee Amendment "A" (H-546)

The amendment replaces the bill. The amendment requires that by January 15th of each year, an agency that has adopted a rule in the previous calendar year to provide a coordinated list of all rules to the Executive Director of the Legislative Council, who is required to refer the list to the legislative committee with jurisdiction over those rules. The coordinated list must include the statutory authority for the rule, rule chapter number and title, principal reason or purpose for the rule, a written statement explaining the factual and policy basis for the rule, whether the rule was major substantive or routine technical, whether the rule was adopted as an emergency and the fiscal impact of the rule. The committee of jurisdiction is authorized to report out legislation in the same session to adjust the rulemaking authority of the agency if the legislative committee considers it necessary.

House Amendment "A" To Committee Amendment "A" (H-671)

This amendment requires the Secretary of State, rather than state agencies as in Committee Amendment "A," to provide the Executive Director of the Legislative Council lists of all rules adopted by state agencies in the previous calendar year.

This bill was recommitted to committee and carried over to any special and/or regular session of the 125th Legislature by joint order, H.P. 1190.

LD 587 An Act To Reduce the Cost of Delivering Certain State Services ONTP

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

This bill is a concept draft pursuant to Joint Rule 208. This bill proposes to have the State enter into pilot projects with one or more counties to demonstrate whether contracting with the counties would provide a savings to the taxpayers of the State. The services that could be the subject of such pilot projects include but are not limited to:

1. Rural law enforcement;
2. Regional human services delivery; and
3. Highway maintenance.

The pilot projects would rely on performance-based contracts between the State and one or more counties.

LD 588 An Act To Require the Archives Advisory Board To Recommend Candidates for State Archivist MAJORITY (ONTP) REPORT

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

Joint Standing Committee on State and Local Government

This bill requires the Archives Advisory Board to recommend candidates to the Secretary of State for the appointment of the State Archivist.

LD 594 Resolve, To Enhance Economic Development in the City of Eastport by Facilitating the Ability of the City of Eastport To transfer Ownership of Property RESOLVE 12 EMERGENCY

<u>Sponsor(s)</u>	<u>Committee Report</u>	<u>Amendments Adopted</u>
RAYE	OTP-AM	S-7

This resolve removes the language in current law that requires the City of Eastport to obtain authority from the Legislature before selling the property known as "the Boat School Property." This resolve also repeals language regarding the reservation of easements.

Committee Amendment "A" (S-7)

This amendment removes from the resolve the language related to Maine Community College System easements.

Enacted Law Summary

Resolve 2011, chapter 12 removes the requirement for the City of Eastport to obtain authority from the Legislature before selling the property known as "the Boat School Property."

Resolve 2011, chapter 12 was finally passed as an emergency measure effective March 31, 2011.

LD 601 An Act To Set Aside One Percent of Committed State Funds for Food Projects ONTP

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

This bill requires any person receiving money appropriated or allocated by the Legislature for the construction of public improvement projects to use 1% of those funds to support food projects according to standards established by the Department of Administrative and Financial Services, Bureau of General Services. When possible, the food projects must be on the grounds of the public improvement project. Food projects include but are not limited to community gardens and landscape trees or plants that provide food.

LD 607 RESOLUTION, Proposing an Amendment to the Constitution of Maine To Require the Governor To Be Elected by a Majority Vote MAJORITY (ONTP) REPORT

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