

# 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**

Department, State Planning Office to the office of the Secretary of State and prohibits the use of General Fund money for the administrative operations of the commission. It prohibits community service programs receiving grants from the commission from charging fees to participating individuals. It requires the Joint Standing Committee on State and Local Government to review the local funding requirements for national service programs to determine whether participation in these programs creates a fiscal burden for municipalities by December 1, 2011. The committee may submit a bill related to the funding requirements in the Second Regular Session of the 125th Legislature.

**Committee Amendment "A" (H-265)**

This amendment, which is the minority report of the committee, adds an appropriations and allocations section.

**LD 687 An Act To Contract Out the State Single Audit**

**MAJORITY  
(ONTP) REPORT**

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

This bill requires the State Controller to contract with an independent auditor to conduct the so-called state single audit of State Government every year beginning in 2012. The bill repeals the provision of law that currently gives the responsibility for the state single audit to the Department of Audit.

**Committee Amendment "A" (H-175)**

This amendment, which is the minority report of the committee, adds an appropriations and allocations section.

**LD 701 An Act To Amend Certain Laws Governing County Sheriffs**

**PUBLIC 95**

<u>Sponsor(s)</u>	<u>Committee Report</u>	<u>Amendments Adopted</u>
DION	OTP-AM	H-110

This bill describes the procedures that a board of county commissioners must use to determine the salary of the county sheriff. The bill establishes a procedure by which the county sheriff, if dissatisfied with the salary set by the board of county commissioners, may appeal that decision. The bill also describes the duties of the county sheriff.

**Committee Amendment "A" (H-110)**

This amendment makes the following changes to the bill.

1. It corrects a cross-reference in the Maine Revised Statutes, Title 30-A, section 373, subsection 1 that refers to county sheriffs receiving an annual salary as set out in Title 30-A, section 2. Public Law 2003, chapter 696 repealed the reference to the salaries of county officers in Title 30-A, section 2.
2. It removes the requirement for county sheriffs to be paid on intervals no less than once a month.
3. It removes the language that sets up a procedure for a county sheriff to appeal to the Superior Court if the sheriff