

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.

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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

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is dissatisfied with the salary.

4. It strikes the words "incidental and irregular" from the section relating to a nonstandard work schedule and clarifies that the county sheriff works irregular hours.

Enacted Law Summary

Public Law 2011, chapter 95 requires the board of county commissioners in each county to determine the salary of the county sheriff prior to the election of a sheriff. It clarifies that the county sheriff may work a nonstandard work schedule with irregular hours. 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.

LD 753 An Act To Establish Juneteenth Independence Day

PUBLIC 53

<u>Sponsor(s)</u>	<u>Committee Report</u>	<u>Amendments Adopted</u>
HARLOW GERZOFISKY	OTP	

This bill establishes the 3rd Saturday in June as Juneteenth Independence Day to commemorate the day freedom was proclaimed to all slaves in the South.

Enacted Law Summary

Public Law 2011, chapter 53 establishes the 3rd Saturday in June as Juneteenth Independence Day to commemorate the day freedom was proclaimed to all slaves in the South.

LD 769 An Act To Review the Functions of the State Planning Office

Carried Over

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

This bill is a concept draft pursuant to Joint Rule 208. This bill proposes to restructure the Executive Department, State Planning Office. This bill will retain within the State Planning Office those functions that are best performed by that office, and will remove to other offices and entities those functions that will be best performed by organizations other than the State Planning Office. As part of the restructuring, the roles of the regional planning commissions established pursuant to the Maine Revised Statutes, Title 30-A, chapter 119 will be more clearly defined, as will the role of the State Planning Office in the review of comprehensive plans developed pursuant to Title 30-A.

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