

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

This amendment replaces the bill. It requires the Secretary of State to publish adopted rule notices only on the publicly accessible website maintained by the Secretary of State. The bill removes all proposed and adopted rules from publication in the newspaper beginning July 1, 2012. The amendment also requires the General Fund savings from reducing newspaper publication to be allocated to the Secretary of State to be used for improving the website and requires the Secretary of State to submit a progress report to the Joint Standing Committee on State and Local Government by January 15, 2012. The amendment also adds an appropriations and allocations section.

The substance of this amendment was incorporated into Public Law 2011, chapter 380, the biennial budget, and the bill died on the appropriations table on adjournment.

LD 942 An Act To Exempt Municipalities from Indemnification Provisions in State Contracts ONTP

| <u>Sponsor(s)</u> | <u>Committee Report</u> | <u>Amendments Adopted</u> |
|-------------------|-------------------------|---------------------------|
| HILL | ONTP | |

This bill provides that the State, including state agencies, boards, commissions and departments, may not, by written agreement, require that it be held harmless or indemnified by a municipality for claims, unless grounded in bodily injury, including death, or property damage resulting from the sole negligence of the municipality or its agents, servants or employees.

LD 953 An Act To Establish the Maine Science Advisory Board ONTP

| <u>Sponsor(s)</u> | <u>Committee Report</u> | <u>Amendments Adopted</u> |
|-------------------|-------------------------|---------------------------|
| SHERMAN | ONTP | |

This bill establishes the Maine Science Advisory Board. The Board consists of 16 members, serving 4 year terms, appointed by the Governor and the presiding officers. The Board shall summarize pertinent scientific studies with an emphasis on studies relevant to the subject of concern to the Legislature in an objective fashion understandable to legislators.

LD 954 An Act To Promote Rural Job Creation and Workforce Development ACCEPTED REPORT B (ONTP)

| <u>Sponsor(s)</u> | <u>Committee Report</u> | <u>Amendments Adopted</u> |
|-------------------|-------------------------|---------------------------|
| BARTLETT | OTP-AM A ONTP B | |

This bill gives a preference in state contracting to bidders who primarily employ residents of the State and to bidders who coordinate with regional workforce development programs and who fill at least 20% of positions on the project with low-income or long-term unemployed people. The bill requires that successful bidders on public building or

Joint Standing Committee on State and Local Government

public works contracts with the State, counties, cities and towns and every charitable or educational institution that is supported in whole or in part by aid granted by the State or by a municipality commit to coordinate with regional workforce development programs and make best efforts to hire low-income and long-term unemployed people. The bill also requires state public works programs to give hiring preference to residents of the county where the work is being performed.

Committee Amendment "A" (S-189)

This amendment strikes out the sections of the bill relating to preferences for state bids. It also strikes out the section that gives preference in hiring residents of the county where the work on a public works project is being performed.

LD 973 An Act To Shorten the Legislative Sessions

**ACCEPTED
ONTP REPORT**

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

This bill shortens legislative sessions beginning with the 126th Legislature by setting a statutory adjournment date of April 15th for the first regular session and March 15th for the second regular session. It also correspondingly reduces the salary paid to legislators by 30% beginning with the 126th Legislature. It requires a special session of the Legislature to adjourn no later than five legislative days after its convening.

Committee Amendment "A" (H-190)

This amendment, which is the minority report of the committee, shortens the legislative sessions beginning with the 126th Legislature by setting a statutory adjournment date of May 15th for the first regular session, rather than April 15th as in the bill, and April 15th for the second regular session, rather than March 15th. It reduces the salary paid to Legislators by 10% beginning with the 126th Legislature, rather than 30% as in the bill. The amendment also adds an appropriations and allocations section.

**LD 984 RESOLUTION, Proposing an Amendment to the Constitution of Maine
To Require a Two-thirds Vote To Approve the Issuance of a Bond or
Security by the Maine Governmental Facilities Authority**

**FINAL PASSAGE
FAILED**

| <u>Sponsor(s)</u> | <u>Committee Report</u> | <u>Amendments Adopted</u> |
|-----------------------|-------------------------|---------------------------|
| WATERHOUSE ROSEN R | ONTP MAJ OTP-AM MIN | H-304 S-182 KATZ |

This resolution proposes to amend the Constitution of Maine to require a 2/3 vote of both Houses of the Legislature to authorize a bond or security to be issued by the Maine Governmental Facilities Authority.

Committee Amendment "A" (H-304)

This amendment is the minority report of the committee and incorporates a fiscal note.

Senate Amendment "A" (S-182)