

# MAINE STATE LEGISLATURE

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**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

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STATE OF MAINE  
125<sup>TH</sup> LEGISLATURE  
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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 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*

This amendment exempts from the 2/3 vote requirement bonds or securities authorized by the Legislature prior to January 1, 2011.

**LD 987      An Act Regarding the Sale of Surplus Land Owned by the Department of Transportation      ONTP**

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

This bill provides guidelines for the sale of land in a residential area that is owned by the Department of Transportation and being sold by the Governor including provisions for the notification of the affected municipalities and abutting landowners.

**LD 1002      An Act To Encourage Affordable Housing in Municipal Zoning      ONTP**

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

This bill is a concept draft pursuant to Joint Rule 208. This bill proposes to amend the current law to increase the availability of workforce housing and affordable housing. It proposes to create tools for municipalities to use to encourage developers to offer density bonuses, reduced lot sizes and other incentives for affordable housing.

**LD 1008      Resolve, To Encourage State Agencies To Limit Their Use of Social Security Numbers      RESOLVE 56**

<u>Sponsor(s)</u>	<u>Committee Report</u>	<u>Amendments Adopted</u>
KNAPP	OTP-AM	H-303

This bill prohibits state agencies from including an individual's social security number in written correspondence. The prohibition does not apply to federal forms or tax forms. The bill defines "state agency" to mean the State and any office, department, agency, authority, commission, board, institution, hospital or other instrumentality of the State, including the Maine Turnpike Authority, the Maine Port Authority, the Northern New England Passenger Rail Authority, the Maine Community College System, the Maine Veterans' Homes, the Maine Public Employees Retirement System, the Maine Military Authority and all such other state entities.

**Committee Amendment "A" (H-303)**

This amendment replaces the bill with a resolve that requires the Department of Administrative and Financial Services to create a policy to provide guidance to state agencies to limit their use of social security numbers in outgoing written correspondence and interdepartmental correspondence by either not including a social security number or using only the last four digits of a number.

**Enacted Law Summary**

*Joint Standing Committee on State and Local Government*

Resolve 2011, chapter 56 requires the Department of Administrative and Financial Services to create a policy to provide guidance to state agencies to limit their use of social security numbers in outgoing written correspondence and interdepartmental correspondence by either not including a social security number or using only the last four digits of a number.

**LD 1079      An Act To Authorize Peaks Island, House Island, Pumpkin Knob and      ONTP  
Catnip Island To Secede from the City of Portland**

<u>Sponsor(s)</u>	<u>Committee Report</u>	<u>Amendments Adopted</u>
WEAVER SNOWE-MELLO	ONTP	

This bill authorizes the incorporation of Peaks Island, House Island, Pumpkin Knob and Catnip Island into the Town of Peaks Island if the legal residents of those territories approve separation from the City of Portland in a referendum to be held on January 10, 2012. If a majority approve separation, the Town of Peaks Island shall be incorporated on July 1, 2012. Part B of the bill clarifies the binding arbitration process. Part C of the bill specifies the liability and rights of the City of Portland and the Town of Peaks Island.

**LD 1085      Resolve, Regarding Prequalification Standards for Contractors      RESOLVE 74**

<u>Sponsor(s)</u>	<u>Committee Report</u>	<u>Amendments Adopted</u>
MARTIN T	OTP-AM	S-188

This bill directs the Department of Administrative and Financial Services, Bureau of General Services to adopt the same annual contractor prequalification process as the Department of Transportation by January 1, 2012. It also directs the Bureau of General Services to adopt the same renewal prequalification process as the Department of Transportation.

**Committee Amendment "A" (S-188)**

This amendment replaces the bill with a resolve that requires the Department of Administrative and Financial Services, Bureau of General Services and the Department of Transportation to jointly adopt one annual prequalification process to be used by contractors that wish to bid on projects administered by either agency. Contractors and other interested parties must be involved in the development of the single prequalification process. The new prequalification process must be in place by January 1, 2012. The Bureau of General Services and the Department of Transportation are required to report jointly to the Joint Standing Committee on State and Local Government by January 15, 2012 and the committee may report out a bill to the Second Regular Session of the 125th Legislature.

**Enacted Law Summary**

Resolve 2011, chapter 74 requires the Department of Administrative and Financial Services, Bureau of General Services and the Department of Transportation to jointly adopt one annual prequalification process to be used by contractors that wish to bid on projects administered by either agency. Contractors and other interested parties must be involved in the development of the single prequalification process. The new prequalification process must be in place by January 1, 2012. The Bureau of General Services and the Department of Transportation are required to report jointly to the Joint Standing Committee on State and Local Government by January 15, 2012 and the committee may report out a bill to the Second Regular Session of the 125th Legislature.