

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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STATE OF MAINE
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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

Committee Amendment "A" (H-601)

This amendment adds an appropriations and allocations section to the bill.

LD 1144 An Act To Repeal Inactive Boards and Commissions

PUBLIC 344

<u>Sponsor(s)</u>	<u>Committee Report</u>	<u>Amendments Adopted</u>
	OTP-AM	H-472

This bill repeals boards and commissions that have failed to file an annual report as required by the Maine Revised Statutes, Title 5, section 12005-A for 2009 or 2010 and those that have reported inactivity during 2009 and 2010.

1. The boards and commissions repealed for failing to file annual reports are:
 - A. Acquired Brain Injury Advisory Council;
 - B. Advisory Board of the Maine Learning Technology Fund;
 - C. Advisory Committee on School Psychological Service Providers;
 - D. Board of Directors of the Mixed Martial Arts Authority of Maine;
 - E. Board of Trustees of the Maine School of Science and Mathematics;
 - F. Commission to Protect the Lives and Health of Members of the Maine National Guard;
 - G. Driver Education and Evaluation Programs Appeals Board;
 - H. Interagency Review Panel;
 - I. Interdepartmental Committee on Transition;
 - J. Lobster Advisory Council;
 - K. Maine Council of Poverty and Economic Security;
 - L. Maine Food Policy Council;
 - M. Maine Fuel Board;
 - N. Maine Quality of Place Council;
 - O. Maine Vaccine Board;
 - P. New England Board of Higher Education;
 - Q. Prison Industries Advisory Council;

Joint Standing Committee on State and Local Government

- R. Probate and Trust Law Advisory Commission;
 - S. Publicly Supported Private Secondary School Advisory Council;
 - T. Seed Potato Board;
 - U. State Employee Health Commission; and
 - V. We Support Our Troops Advisory Board.
2. The boards and commissions repealed for inactivity are:
- A. Advisory Board for the Licensing of Taxidermists;
 - B. Advisory Committee on Fair Competition with Private Enterprise;
 - C. Aquaculture Advisory Council;
 - D. Education Commission of the States;
 - E. Judicial Compensation Commission;
 - F. Maine Biomedical Research Board;
 - G. Maine Drug Enforcement Agency Advisory Board;
 - H. Notary Public Review Board;
 - I. Policy Review Council;
 - J. Railroad Crossing Information Council;
 - K. Submerged Lands Advisory Board; and
 - L. Travel Information Advisory Council.

Committee Amendment "A" (H-472)

This amendment removes the following boards and commissions from the bill so that they will not be repealed:

- 1. Acquired Brain Injury Advisory Council;
- 2. Advisory Board for the Licensing of Taxidermists;
- 3. Advisory Board of the Maine Learning Technology Fund;
- 4. Advisory Committee on Fair Competition with Private Enterprise;
- 5. Advisory Committee on School Psychological Service Providers;
- 6. Board of Directors of the Mixed Martial Arts Authority of Maine;
- 7. Board of Trustees of the Maine School of Science and Mathematics;

Joint Standing Committee on State and Local Government

8. Driver Education and Evaluation Programs Appeals Board;
9. Interagency Review Panel;
10. Judicial Compensation Commission;
11. Lobster Advisory Council;
12. Maine Biomedical Research Board;
13. Maine Drug Enforcement Agency Advisory Board;
14. Maine Fuel Board;
15. Maine Quality of Place Council;
16. Maine Vaccine Board;
17. New England Board of Higher Education;
18. Prison Industries Advisory Council;
19. Probate and Trust Law Advisory Commission;
20. Seed Potato Board; and
21. State Employee Health Commission.

It also removes the Railroad Crossing Information Council from the bill because it has already been repealed in Public Law 2011, chapter 79. The amendment also corrects cross-references for boards and commissions that are being repealed in the bill. The amendment changes the year that the Secretary of State is required to submit suggested legislation to the joint standing committee of the Legislature having jurisdiction over state government matters to on or before January 30th in the second regular session of the biennium instead of in the first regular session. Suggested legislation for the Second Regular Session of the 125th Legislature may only include boards that did not file an annual report of activities for 2011 and will not include boards that have reported inactivity for that one year.

Enacted Law Summary

Public Law 2011, chapter 344 repeals the following boards and commissions that failed to file an annual report as required by the Maine Revised Statutes, Title 5, section 12005-A for 2009 or 2010 or reported inactivity during 2009 and 2010:

1. Aquaculture Advisory Council;
2. Commission to Protect the Lives and Health of Members of the Maine National Guard;
3. Education Commission of the States;
4. Interdepartmental Committee on Transition;
5. Maine Council of Poverty and Economic Security;

Joint Standing Committee on State and Local Government

- 6. Maine Food Policy Council;
- 7. Notary Public Review Board;
- 8. Policy Review Council;
- 9. Publicly Supported Private Secondary School Advisory Council;
- 10. Submerged Lands Advisory Board;
- 11. Travel Information Advisory Council; and
- 12. We Support Our Troops Advisory Board.

Public law 2011, chapter 344 also changes the year that the Secretary of State is required to submit suggested legislation to the joint standing committee of the Legislature having jurisdiction over state government matters to on or before January 30th in the second regular session of the biennium instead of in the first regular session. Suggested legislation for the Second Regular Session of the 125th Legislature may only include boards that did not file an annual report of activities for 2011 and will not include boards that have reported inactivity for that one year.

LD 1183 Resolve, Directing the Maine Community College System To Extinguish RESOLVE 33
Certain Easements

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

This resolve directs the Maine Community College System to extinguish any easement rights it holds in property it conveyed pursuant to Resolve 2007, chapter 116, section 1.

Enacted Law Summary

Resolve 2011, chapter 33 directs the Maine Community College System to extinguish any easement rights it holds in property it conveyed pursuant to Resolve 2007, chapter 116, section 1.

LD 1213 An Act To Provide Funding for a Convention Center or Civic Center in ONTP
Cumberland County

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

This bill is a concept draft pursuant to Joint Rule 208. This bill seeks to provide a funding mechanism, including a local option tax, for the construction or renovation of a convention center or civic center in Cumberland County.