

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

LD 1312 An Act To Require That Notaries Public Keep Records of Notarial Acts INDEF PP

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

This bill requires record keeping for all notarial acts performed by a notary public.

Committee Amendment "A" (S-117)

This amendment changes the provision of the bill that permits a notary public to accept identification documents for witnesses and instead requires a credible witness to be personally known to the notary public. It also allows the Secretary of State to suspend, revoke or refuse to renew the commission of a notary public if the notary public fails to perform the record keeping required by law.

LD 1321 RESOLUTION, Proposing an Amendment to the Constitution of Maine To Allow for the Appointment of County Sheriffs, Judges and Registers of Probate LEAVE TO WITHDRAW

<u>Sponsor(s)</u>	<u>Committee Report</u>	<u>Amendments Adopted</u>
STRANG BURGESS WOODBURY	LTW	

This resolution proposes to amend the Constitution of Maine to allow a county with a county charter that includes a provision for the county commissioners to appoint judges of probate, registers of probate and sheriffs. It does not change the requirement for these positions to be elected if the county has not adopted a charter or has adopted a charter that does not provide for the appointment of these positions. Resolve 1967, chapter 77 repealed the Constitution of Maine, Article VI, Section 6, regarding the election of judges and registers of probate, contingent upon the Legislature's enactment of a different Probate Court system with full-time judges. That contingency has not occurred, allowing for this constitutional amendment.

LD 1343 An Act To Limit Interest Assessed against Municipalities INDEF PP

<u>Sponsor(s)</u>	<u>Committee Report</u>	<u>Amendments Adopted</u>
GILLWAY COLLINS	OTP-AM	H-323

This bill prohibits a business concern from charging a municipality interest on a proper invoice submitted to the municipality less than 26 days after receipt of the invoice by the municipality.

Committee Amendment "A" (H-323)

This amendment changes the amount of time that a business concern is prohibited from charging a municipality interest on the balance of a proper invoice from 26 days to 30 days. It also exempts public utilities from the

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prohibition.

LD 1359 An Act To Enhance Local Control of Noise Ordinances ONTP

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

This bill gives municipalities the authority to adopt ordinances to regulate noise and amends the laws governing motor vehicle noise to restore the laws that existed prior to Public Law 2009, chapter 639.

LD 1373 Resolve, To Produce Cost Savings by Requiring the State E-mail System To Be Hosted by Google ONTP

<u>Sponsor(s)</u>	<u>Committee Report</u>	<u>Amendments Adopted</u>
WILLETTE A MASON	ONTP	

This resolve requires InforME to implement a change of the official state e-mail system to a system that is hosted by Google, Inc.

LD 1389 An Act To Require Certain Costly Rules To Be Approved by the Legislature ONTP

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

This bill is a concept draft pursuant to Joint Rule 208. This bill proposes to require that a routine technical agency rule that would cost the State \$1,000,000 must be considered by the Legislature before final adoption by an agency in the same manner as a major substantive rule pursuant to the Maine Revised Statutes, Title 5, section 8072.

LD 1410 An Act To Amend the Maine Administrative Procedure Act PUBLIC 326

<u>Sponsor(s)</u>	<u>Committee Report</u>	<u>Amendments Adopted</u>
CAREY	OTP-AM	H-368

This bill requires each state agency to maintain a rulemaking docket on the agency's publicly accessible website listing any proposed rules or modifications to rules under active consideration by the agency. The rulemaking docket must list for each proposed rule or modification of a rule the specific subject matter of the proposed rule or modification of a rule, agency contact information, status within the agency and information regarding any pending