

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

code or an energy code it must adopt the statewide version adopted by the Technical Building Codes and Standards Board, or it may adopt the entire Maine Uniform Building and Energy Code. A municipality with up to 4,000 residents may choose to have no code.

LD 1442 An Act To Clarify Enforcement of Maine's Building Codes

ONTP

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

This bill makes the following changes to the Maine Uniform Building and Energy Code:

1. It clarifies that the Code must be adopted and enforced by all municipalities with a population of more than 2,000 residents by July 1, 2012;
2. It clarifies that a municipal ordinance that is inconsistent with the Code is void in a municipality that has adopted the Code. This provision applies retroactively to the date of adoption of the Code, which is December 1, 2010 for certain municipalities;
3. It requires the Maine Land Use Regulation Commission to provide written notice of the existence of the Code to an applicant for a building permit in an unorganized or deorganized territory; and
4. It prohibits a person from serving as a 3rd-party inspector for the purposes of enforcing the Code in a municipality in which that person is appointed a building official.

LD 1445 An Act To Provide More Efficient Notice of Public Activities

ONTP

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

This bill changes the requirement for public notices to be published in a newspaper. Beginning July 1, 2013, a state agency may no longer publish a legal notice, legal advertising or other matter required by law to be published in a newspaper but must instead post such notices on a publicly accessible website maintained by the State. "State agency" is defined as any unit of State Government, including any state board or commission but not including the Legislature, the Judicial Department, the University of Maine System, the Maine Community College System and the Maine Maritime Academy. The Secretary of State and the Commissioner of Administrative and Financial Services shall contact all state agencies to determine all instances of legal notice publication requirements existing in the Maine Revised Statutes and request recommendations from those agencies regarding which notices should continue to be published in a newspaper after July 1, 2013. The Secretary of State and the Commissioner of Administrative and Financial Services shall jointly submit a report based on the recommendations from the state agencies, along with any necessary implementing legislation to the Joint Standing Committee of State and Local Government by December 15, 2012, and the committee is authorized to report out legislation to enact those recommendations.