

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 bill provides the requirement that payroll deductions for individual retirement accounts, simplified employee pension plans and tax-deferred arrangements for state employees must be transferred into the accounts within two business days of the deduction.

LD 1492 An Act To Ensure Accountability in State Contracts

**DIED ON
ADJOURNMENT**

| <u>Sponsor(s)</u> | <u>Committee Report</u> | <u>Amendments Adopted</u> |
|-------------------|-------------------------|---------------------------|
| ALFOND | ONTP MAJ OTP-AM MIN | S-262 S-278 ALFOND |

This bill requires any request for proposal or solicitation of a bid by the State for a contract for the provision of property, products or services by the state budget to include certain defining information and requires the information to be posted on the publicly accessible portion of the Department of Administrative and Financial Services website.

Committee Amendment "A" (S-262)

This amendment, which is the minority report of the committee, clarifies that the posting of information on the website of the Department of Administrative and Financial Services relates to contracts for purchases and not to contracts in a budget. It also moves the provision from the chapter on general provisions of finance to the chapter on purchases in the Maine Revised Statutes. It removes the language relating to posting information on the estimated cost of providing the products or services and the estimated number of employees required to fulfill the contract.

Senate Amendment "A" To Committee Amendment "A" (S-278)

This amendment provides that the collection and posting of information on the website of the Department of Administrative and Financial Services applies only to contracts that exceed \$1,000,000.

This bill died on the appropriations table on adjournment.

LD 1499 An Act Concerning Fees for Users of County Registries of Deeds

**PUBLIC 378
EMERGENCY**

| <u>Sponsor(s)</u> | <u>Committee Report</u> | <u>Amendments Adopted</u> |
|-------------------|-------------------------|---------------------------|
| COTTA KATZ | OTP-AM | H-503 S-280 THOMAS |

This bill allows county commissioners to consider the revenue needs of the county in establishing reasonable fees for copies and abstracts provided by the registry of deeds offices.

Committee Amendment "A" (H-503)

The bill requires county commissioners to consider the revenue needs of the county in setting reasonable fees for making abstracts and copies from records. This amendment replaces that provision with a set charge of \$1 for paper copies and 50¢ for digital copies. These per page fees apply to all copies, including requests for bulk transfers of

Joint Standing Committee on State and Local Government

copies. The amendment specifies that the legislative intent is that fees that have been authorized by the counties in the past are considered reasonable. The amendment retains the retroactive application to September 1, 2009 but removes reference to pending litigation.

Senate Amendment "A" To Committee Amendment "A" (S-280)

This amendment provides that the fees that may be collected by a register of deeds are \$5 per page for making paper abstracts and copies of plans, \$1 per page for other paper abstracts and copies, 50¢ per page for digital abstracts and copies and 5¢ per page for copies of 1,000 or more digital abstracts and copies of consecutive records. The amendment also repeals the fee changes July 31, 2012 and restores current fee provisions on that date.

Enacted Law Summary

Public Law 2011, chapter 378 sets the fees that may be collected by a register of deeds. The fees are \$5 per page for making paper abstracts and copies of plans, \$1 per page for other paper abstracts and copies, 50¢ per page for digital abstracts and copies and 5¢ per page for copies of 1,000 or more digital abstracts and copies of consecutive records. This law applies retroactively to September 1, 2009. The fees set in this law are repealed on July 31, 2012 and the current fee provisions are restored on that date.

Public Law 2011, chapter 378 was enacted as an emergency measure effective June 16, 2011.

**LD 1518 An Act To Make Changes to the Laws Regarding Notice and ONTP
Publication of Unclaimed Property**

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

This bill amends the Uniform Unclaimed Property Act to remove the requirement that the Treasurer of State publish in a newspaper of general circulation in Maine a notice of unclaimed property that has been paid or delivered to the treasurer.

**LD 1533 An Act To Provide for a Method To Remove an Elected Municipal PUBLIC 324
Official EMERGENCY**

| <u>Sponsor(s)</u> | <u>Committee Report</u> | <u>Amendments Adopted</u> |
|---------------------|-------------------------|---------------------------|
| SANDERSON THOMAS | OTP-AM | H-480 |

This bill establishes a procedure to recall an elected municipal official if that municipality's ordinances or charter do not address the issue. An elected official may be the subject of a recall only for neglect of duty, misconduct or malfeasance in office and after being given a written statement of the charges.

Committee Amendment "A" (H-480)

This amendment narrows the circumstances under which an elected municipal official can be recalled. It requires the elected municipal official to have been convicted of a crime in which the criminal conduct occurred during the official's term of office and in which the victim of the crime is the municipality.

Senate Amendment "A" (S-264)