

# 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**

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)**

**Joint Standing Committee on State and Local Government**

This amendment establishes a procedure to recall elected officials, rather than only municipal officials. This amendment was not adopted.

**Enacted Law Summary**

Public Law 2011, chapter 324 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 if that official has 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.

Public Law 2011, chapter 324 was enacted as an emergency measure effective June 13, 2011.

**LD 1550      An Act To Change Document Filing Fees for County Registries of Deeds      Carried Over**

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

This bill increases the fee for recording an instrument, including plans, at all registries of deeds by \$12.

This bill was carried over to any special and/or regular session of the 125th Legislature by joint order, H.P. 1190.

**LD 1552      Resolve, Authorizing the Commissioner of Administrative and Financial Services To Sell or Lease the Interests of the State in Certain Real Property Located in Rockwood and Sinclair in the Unorganized Territory and To Extend the Dates To Sell Real Property in Bangor, Augusta, Skowhegan, Frenchville and Hallowell      RESOLVE 70**

<u>Sponsor(s)</u>	<u>Committee Report</u>	<u>Amendments Adopted</u>
COTTA	OTP-AM	H-473

This resolve authorizes the State to sell or lease specific land and buildings in the unorganized territories that are no longer necessary to the Department of Education and directs the proceeds of any sale and lease to the Unorganized Territory Education and Services Fund.

**Committee Amendment "A" (H-473)**

This amendment adds to the resolve the substance of four resolves that authorized the sale of various state properties but which were repealed by their own terms before the sales were complete. The amendment reauthorizes the Commissioner of Administrative and Financial Services to complete the sale or lease of properties in Bangor, Augusta, Skowhegan, Frenchville and Hallowell as set out in Resolve 2003, chapter 92, Resolve 2005, chapters 177 and 209 and Resolve 2007, chapter 150.

**Enacted Law Summary**

Resolve 2011, chapter 70 authorizes the State to sell or lease specific land and buildings in the unorganized territories that are no longer necessary to the Department of Education and directs the proceeds of any sale and lease to the Unorganized Territory Education and Services Fund. Resolve 2011, chapter 70 also reauthorizes the