

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 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

Joint Standing Committee on State and Local Government

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. The resolves authorizing the sale or lease of these properties were repealed by their own terms before the sales were complete.

**LD 1572 RESOLUTION, Proposing an Amendment to the Constitution of Maine DIED BETWEEN
To Provide for the Popular Election of the Secretary of State, Attorney HOUSES
General, Treasurer of State and State Auditor**

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

This resolution proposes a constitutional amendment that provides for direct popular election beginning in 2012 of the Secretary of State, the Treasurer of State and the Attorney General biennially and for direct popular election of the State Auditor every 4 years in the manner currently provided for Senators and Representatives.

Committee Amendment "A" (S-153)

This amendment, which is the minority report of the committee, proposes a constitutional amendment to provide that, beginning in 2014, the Secretary of State, the Treasurer of State and the Attorney General be elected by the people every 4 years in the same manner as members of the Senate and House of Representatives. The amendment also removes a provision in the resolution that provides for the popular election of the State Auditor.

**LD 1584 Resolve, To Allow the State To Continue Efforts To Sell or Lease RESOLVE 99
Certain Real Property in the City of Hallowell EMERGENCY**

<u>Sponsor(s)</u>	<u>Committee Report</u>	<u>Amendments Adopted</u>
TREAT MCCORMICK	OTP-AM	H-627

Current law authorizes the State to sell or lease certain real property in the City of Hallowell. This resolve authorizes the extension of the terms of the lease with the school administrative unit that includes the City of Hallowell and references the actual property description of the subject property rather than referencing the legislation authorizing the sale or lease.

Committee Amendment "A" (H-627)

This amendment incorporates a fiscal note.

Enacted Law Summary

Resolve 2011, chapter 99 authorizes the extension of the terms of the lease with the school administrative unit that includes the City of Hallowell during the process of the state selling or leasing certain real property in the City of Hallowell.

Resolve 2011, chapter 99 was finally passed as an emergency measure effective June 22, 2011.