

# MAINE STATE LEGISLATURE

The following document is provided by the  
**LAW AND LEGISLATIVE DIGITAL LIBRARY**  
at the Maine State Law and Legislative Reference Library  
<http://legislature.maine.gov/lawlib>



Reproduced from electronic originals  
(may include minor formatting differences from printed original)

STATE OF MAINE  
125<sup>TH</sup> LEGISLATURE  
SECOND REGULAR SESSION



Summaries of bills, adopted amendments and laws enacted or finally passed

**JOINT STANDING COMMITTEE ON STATE AND LOCAL  
GOVERNMENT**

June 2012

**MEMBERS:**

SEN. DOUGLAS A. THOMAS, CHAIR  
SEN. RONALD F. COLLINS  
SEN. NANCY B. SULLIVAN

REP. H. DAVID COTTA, CHAIR  
REP. LANCE EVANS HARVELL  
REP. BRADLEY S. MOULTON  
REP. BETH P. TURNER  
\*REP. RICHARD CEBRA  
REP. ANDREA M. BOLAND  
REP. BRYAN T. KAENRATH  
REP. BRIAN D. BOLDUC  
REP. ALAN M. CASAVANT  
REP. ANNE P. GRAHAM

**STAFF:**

ANNA T. BROOME, LEGISLATIVE ANALYST  
OFFICE OF POLICY AND LEGAL ANALYSIS  
13 STATE HOUSE STATION  
AUGUSTA, ME 04333  
(207) 287-1670

\*REPLACED REP. MICHAEL CELLI EARLY IN THE SESSION

# STATE OF MAINE

125<sup>TH</sup> LEGISLATURE  
SECOND REGULAR SESSION



## 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 Second 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.

<i>CARRIED OVER</i> .....	<i>carried over to a subsequent session of the Legislature</i>
<i>CON RES XXX</i> .....	<i>chapter # of constitutional resolution passed by both houses</i>
<i>CONF CMTE UNABLE TO AGREE</i> .....	<i>Committee of Conference unable to agree; legislation died</i>
<i>DIED BETWEEN HOUSES</i> .....	<i>House &amp; Senate disagreed; legislation died</i>
<i>DIED IN CONCURRENCE</i> .....	<i>defeated in each house, but on different motions; legislation died</i>
<i>DIED ON ADJOURNMENT</i> .....	<i>action incomplete when session ended; legislation died</i>
<i>EMERGENCY</i> .....	<i>enacted law takes effect sooner than 90 days after session adjournment</i>
<i>FAILED, EMERGENCY ENACTMENT or FINAL PASSAGE</i> .....	<i>emergency failed to receive required 2/3 vote</i>
<i>FAILED, ENACTMENT or FINAL PASSAGE</i> .....	<i>failed to receive final majority vote</i>
<i>FAILED, MANDATE ENACTMENT</i> .....	<i>legislation proposing local mandate failed required 2/3 vote</i>
<i>HELD BY GOVERNOR</i> .....	<i>Governor has not signed; final disposition to be determined at subsequent session</i>
<i>LEAVE TO WITHDRAW</i> .....	<i>sponsor's request to withdraw legislation granted</i>
<i>NOT PROPERLY BEFORE THE BODY</i> .....	<i>ruled out of order by the presiding officer; legislation died</i>
<i>INDEF PP</i> .....	<i>indefinitely postponed; legislation died</i>
<i>ONTP, ACCEPTED, MAJORITY, MINORITY or REPORT X</i> ...	<i>ought-not-to-pass report accepted; legislation died</i>
<i>P&amp;S XXX</i> .....	<i>chapter # of enacted private &amp; special law</i>
<i>PUBLIC XXX</i> .....	<i>chapter # of enacted public Law</i>
<i>RESOLVE XXX</i> .....	<i>chapter # of finally passed resolve</i>
<i>VETO SUSTAINED</i> .....	<i>Legislature failed to override Governor's veto</i>

The effective date for non-emergency legislation enacted in the Second Regular Session of the 125<sup>th</sup> Legislature is Thursday, August 30, 2012. 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**

easement and members from statewide organizations representing municipalities, small woodlot owners, producers of forest products, snowmobilers and other interested parties. The Department of Conservation is required to report the stakeholder group's findings to the joint standing committee of the Legislature having jurisdiction over state and local government matters no later than January 15, 2013, and the committee is authorized to report out legislation to the First Regular Session of the 126th Legislature.

**LD 1616 An Act Concerning Copying Fees for Users of County Registries of Deeds**

**PUBLIC 508  
EMERGENCY**

<u>Sponsor(s)</u>	<u>Committee Report</u>	<u>Amendments Adopted</u>
THOMAS	OTP	

Currently, the fees specified in statute for making abstracts and copies of records at county registries of deeds will be repealed July 31, 2012 and beginning August 1, 2012, county commissioners will set the fees. This bill eliminates the repeal and continues the fees specified in statute.

**Enacted Law Summary**

Public Law 2011, chapter 378 set copying fees until a sunset of July 31, 2012 and beginning August 1, 2012, county commissioners would have set the fees. Public Law 2011, chapter 508 eliminates the sunset so that the copying fees continue to be specified in statute.

Public Law 2011, chapter 508 was enacted as an emergency measure effective March 16, 2012.

**LD 1631 An Act To Address Research and Teaching in Maine's Institutions of Higher Education by Amending the Laws Governing the Purchase of Goods and Services by the State Involving Institutions of Higher Education**

**PUBLIC 555**

<u>Sponsor(s)</u>	<u>Committee Report</u>	<u>Amendments Adopted</u>
MASON	OTP-AM MAJ OTP-AM MIN	S-428

This bill allows the Director of the Bureau of General Services within the Department of Administrative and Financial Services to waive the requirement of competitive bidding for the purchase of goods and services if the purchase is part of a cooperative project between the State and a private, nonprofit, regionally accredited institution of higher education with a main campus in this State involving an activity assisting a state agency and enhancing the ability of the institution to fulfill its mission of teaching and research. The bill removes the requirement that the waiver be for an activity that has a public service component. Current law allows for such a waiver in the case of a cooperative project between the State and the University of Maine System or the Maine Community College System.

**Committee Amendment "A" (S-428)**

This amendment, which is the majority report of the committee, allows the Director of the Bureau of General Services within the Department of Administrative and Financial Services to waive the requirement of competitive bidding for the purchase of goods and services if the purchase is part of a cooperative project between the State and the Maine Maritime Academy. The amendment also restores language that was removed from current law in the bill requiring that such a cooperative project address the institution's mission of public service.

*Joint Standing Committee on State and Local Government*

**Committee Amendment "B" (S-429)**

This amendment, which is the minority report of the committee, allows the Director of the Bureau of General Services within the Department of Administrative and Financial Services to waive the requirement of competitive bidding for the purchase of goods and services if the purchase is part of a cooperative project between the State and the Maine Maritime Academy. It removes private nonprofit institutions of higher education from the list of institutions eligible for that waiver as in the bill. The amendment also restores language that was removed from current law in the bill requiring that such a cooperative project address the institution's mission of public service. This amendment was not adopted.

**Enacted Law Summary**

Public Law 2011, chapter 555 allows the Director of the Bureau of General Services within the Department of Administrative and Financial Services to waive the requirement of competitive bidding for the purchase of goods and services if the purchase is part of a cooperative project between the State and the Maine Maritime Academy or a private, nonprofit, regionally accredited institution of higher education with a main campus in this State involving an activity assisting a state agency and enhancing the ability of the institution to fulfill its mission of teaching and research. Previously, waivers for cooperative projects were limited to the University of Maine System and the Maine Community College System.

**LD 1639 An Act To Allow the Adjutant General To Address a Joint Session of the Legislature**

**PUBLIC 472  
EMERGENCY**

Sponsor(s)

FREDETTE  
HASTINGS

Committee Report

OTP

Amendments Adopted

Under current law, the Chancellor of the University of Maine System and the President of the Maine Community College System are invited annually to address the Legislature on matters within their purviews. This bill authorizes the President of the Senate and the Speaker of the House of Representatives to invite the Adjutant General to appear annually before a joint session of the Legislature to address the Legislature on defense, veterans' services and emergency management matters.

**Enacted Law Summary**

Public Law 2011, chapter 472 authorizes the President of the Senate and the Speaker of the House of Representatives to invite the Adjutant General to appear annually before a joint session of the Legislature to address the Legislature on defense, veterans' services and emergency management matters.

Public Law 2011, chapter 472 was enacted as an emergency measure effective February 10, 2012.

**LD 1640 An Act To Promote POW/MIA Recognition Day**

**PUBLIC 490**

Sponsor(s)

TURNER  
RAYE

Committee Report

OTP-AM

Amendments Adopted

H-705