

MAINE STATE LEGISLATURE

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STATE OF MAINE
126TH LEGISLATURE
FIRST REGULAR SESSION



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

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

July 2013

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STATE OF MAINE

126TH LEGISLATURE

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LEGISLATIVE DIGEST OF BILL SUMMARIES AND ENACTED LAWS

This *Legislative Digest of Bill Summaries and Enacted Laws* contains summaries of all LDs and adopted amendments and all laws enacted or finally passed during the First Regular Session of the 126th 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 126th Legislature is October 9, 2013. 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

Committee Amendment "A" (S-140)

This amendment is the minority report of the Joint Standing Committee on State and Local Government, and it strikes and replaces the bill. It requires the President of the Senate and the Speaker of the House to convene a working group to study the issue of creating a people's veto process on actions of county commissioners and requires the working group to report to the committee by January 15, 2014. The amendment also gives the committee permission to report out a bill based on the findings of the study.

LD 106 An Act To Abolish the Trustees of Public Cemeteries for the City of Waterville

**P & S 1
EMERGENCY**

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

This bill abolishes the Trustees of Public Cemeteries for the City of Waterville and transfers all duties and responsibilities for the care and upkeep of the public cemeteries in the City of Waterville to the City of Waterville.

Enacted Law Summary

Private and Special Law 2013, chapter 1 abolishes the Trustees of Public Cemeteries for the City of Waterville and transfers all duties and responsibilities for the care and upkeep of the public cemeteries in the City of Waterville to the City of Waterville.

Private and Special Law 2013, chapter 1 was enacted as an emergency measure effective March 27, 2013.

LD 134 RESOLUTION, Proposing an Amendment to the Constitution of Maine To Reduce the Size of the Legislature

**ACCEPTED
MAJORITY
(ONTP) REPORT**

<u>Sponsor(s)</u>	<u>Committee Report</u>	<u>Amendments Adopted</u>
BROOKS THIBODEAU	ONTP OTP	

This resolution proposes to amend the Constitution of Maine to reduce the size of the House of Representatives from 151 members to 101 members and the size of the Senate from no more than 35 members and no less than 31 members to 25 members. Under the resolution, the proposal would be presented to the voters for their approval at a statewide election held in the month of November following the passage of this resolution, and after voter approval, the Legislature that convenes in 2015 would submit a reapportionment plan to implement the reduction in the size of the Legislature. The reduction in the size of the legislative body takes effect with the 128th Legislature.

Committee Amendment "A" (H-104)

This amendment adds a fiscal note and is the minority report of the committee.

LD 155 An Act To Streamline the Approval of Accessibility Structures

**PUBLIC 186
EMERGENCY**

<u>Sponsor(s)</u>	<u>Committee Report</u>	<u>Amendments Adopted</u>
MORRISON MILLETT	OTP-AM	H-222

Joint Standing Committee on State and Local Government

This bill allows the code enforcement officer to grant all permits to build a disability ramp, including any structure that requires a variance. Previous law required a municipal zoning board of appeals to approve the construction of a disability ramp requiring a variance before a permit is issued by a code enforcement officer.

Committee Amendment "A" (H-222)

This amendment specifies that the authorization to issue a permit to an owner of a dwelling to make the dwelling accessible to a person with a disability is provided by municipal ordinance.

Enacted Law Summary

Public Law 2013, chapter 186 provides that the authorization to issue a permit to an owner of a dwelling to make the dwelling accessible to a person with a disability is provided by municipal ordinance.

Public Law 2013, chapter 186 was enacted as an emergency measure effective May 31, 2013.

LD 183 An Act To Exempt Municipalities That Do Not Hold Annual Meetings ONTP
from Required Publication of an Annual Report

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

This bill provides that only municipalities that hold a town meeting are required to publish an annual report.

LD 210 An Act To Require That Forms, Pamphlets and Other Documents Be ONTP
Designed To Permit the Continued Use of the Materials

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

This bill provides that a state agency, board, commission or department may not include the name of a state agency, board, commission or department official on any document produced and distributed to the public after January 1, 2014 unless the inclusion of the name is required to effectuate the legal purposes of the document. The purpose of this bill is to reduce waste resulting from the need to reprint pamphlets, forms and other documents when the name of a state agency, board, commission or department official changes.

LD 211 An Act To Amend the Laws Governing the Limitation on County CARRIED OVER
Assessments

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

This bill changes the definition of "property growth factor," which is integral in the calculation of a county's annual assessment limitation, in the laws governing the limitation on county assessments. The revised definition uses state valuation data in determining the property growth factor, rather than relying on municipal reporting of data based on the assessed valuation of real and personal property.