

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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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

This bill changes the name of the Department of Audit to the Office of the State Auditor.

Enacted Law Summary

Public Law 2013, chapter 16 changes the name of the Department of Audit to the Office of the State Auditor.

LD 413 An Act To Expand Eligible Project Costs in Development Districts DIED BETWEEN HOUSES

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

This bill permits tax increment financing funds to be used to fund projects approved by more than one municipality under an interlocal agreement.

LD 465 An Act To Improve Access to Public Land Records ACCEPTED MAJORITY (ONTP) REPORT

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

This bill improves access to public land records by limiting the fees registries of deeds may charge for digital copies. Maine's Freedom of Access Act limits the fees state agencies may charge for copies of public records to the cost of producing copies, but the Maine Revised Statutes, Title 33 permits registries of deeds to charge a much higher fee for digital copies. The bill also removes outdated references to abstracts, since registries of deeds no longer prepare such documents.

Committee Amendment "A" (H-199)

This amendment is the minority report of the committee and changes the cost for any quantity of copies produced on media other than paper from 110% of the costs incurred to fulfill the copies request to 125% of the costs incurred.

LD 474 An Act To Provide for Edible Landscaping in a Portion of Capitol Park PUBLIC 153

<u>Sponsor(s)</u>	<u>Committee Report</u>	<u>Amendments Adopted</u>
HICKMAN	OTP-AM ONTP	H-102

This bill requires edible landscaping in a portion of Capitol Park. The development of the edible landscaping portion of Capitol Park is subject to available funding, and the State House and Capitol Park Commission may seek and accept public and private funds for this purpose.

Committee Amendment "A" (H-102)

This amendment is the majority report of the committee. It strikes the bill and directs the State House and Capitol Park Commission to arrange for and implement a plan to incorporate food-producing landscaping into a portion of

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Capitol Park. The amendment requires that the plan be consistent with the plan for Capitol Park developed by the Olmsted Brothers firm in 1920, as revised, and be subject to available funding.

Enacted Law Summary

Public Law 2013, chapter 153 directs the State House and Capitol Park Commission to arrange for and implement a plan to incorporate food-producing landscaping into a portion of Capitol Park. It requires that the plan be consistent with the plan for Capitol Park developed by the Olmsted Brothers firm in 1920, as revised, and be subject to available funding.

**LD 489 RESOLUTION, Proposing an Amendment to the Constitution of Maine DIED BETWEEN
To Increase the Lengths of Terms of Members of the Legislature HOUSES**

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

This resolution proposes to amend the Constitution of Maine to increase the length of the terms of State Senators and members of the House of Representatives from two years to four years beginning in 2016.

This amendment is the majority report of the committee and incorporates a fiscal note.

Committee Amendment "A" (H-390)

This amendment is the majority report of the committee. The resolution proposes to increase the length of terms of members of the State Senate and the House of Representatives from two years to four years. The amendment also proposes to amend the Constitution of Maine to limit the number of consecutive terms members of the State Senate and the House of Representatives may serve from four terms to two terms. The amendment changes the referendum question to reflect the changes proposed in this amendment.

**LD 490 RESOLUTION, Proposing an Amendment to the Constitution of Maine ACCEPTED
To Limit a Governor's Pension to Governors Who Have Served 2 Full MAJORITY
Terms (ONTP) REPORT**

<u>Sponsor(s)</u>	<u>Committee Report</u>	<u>Amendments Adopted</u>
JACKSON T	ONTP OTP	

This resolution amends the Constitution of Maine to provide that a Governor who leaves office after January 1, 2012 or the spouse of a Governor who leaves office after January 1, 2012 does not qualify for a retirement allowance based on the Governor's service unless the Governor served at least two full terms as Governor.

Committee Amendment "A" (S-49)

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