

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
FIRST REGULAR SESSION



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

Androscoggin County to make the changes to the charter that would have been voted on in November without incurring the expenses of another countywide vote.

Enacted Law Summary

Resolve 2013, chapter 62 allows the board of county commissioners of Androscoggin County to make specific changes to the county charter. In November 2012 changes to the Androscoggin County charter were presented to the voters at a countywide vote and accepted by the voters of Androscoggin County pursuant to the Maine Revised Statutes, Title 30-A, section 1324. After the charter was filed with the Secretary of State, it was realized that the wrong charter had been voted on; the changes included in this amendment were the intent of the charter commission and were presented by the county charter members at public presentations and at a county commission meeting. Resolve 2013, chapter 62 allows the board of county commissioners of Androscoggin County to make the changes to the charter that would have been voted on in November without incurring the expenses of another countywide vote.

LD 1122 An Act Allowing Municipalities To Enact Firearms Policies in Local Government Buildings

**ACCEPTED
MAJORITY
(ONTP) REPORT**

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

This bill provides a municipal legislative body with the authority to adopt an ordinance that restricts the carrying of firearms in the municipality's essential municipal offices and places of legislative assembly just as the State imposes those restrictions in its capitol area. It requires a municipality, if the legislative body of that municipality adopts an ordinance that restricts the carrying of firearms in that municipality's essential municipal offices or places of legislative assembly, to post in a prominent location outside the affected offices and places a notice of the existence of that restriction.

LD 1127 An Act To Establish Hospital Administrative District No. 5, a Regional Hospital Administrative District in Lincoln County

**ACCEPTED
MAJORITY
(ONTP) REPORT**

<u>Sponsor(s)</u>	<u>Committee Report</u>	<u>Amendments Adopted</u>
MACDONALD W JOHNSON C	ONTP OTP-AM	

This bill authorizes the voters of the Town of Boothbay, the Town of Boothbay Harbor, the Town of Edgecomb and the Town of Southport to hold a referendum to establish Hospital Administrative District No. 5, a regional hospital administrative district in Lincoln County. The vote of the towns must take place at town meetings and the Town of Boothbay, the Town of Boothbay Harbor and at least one other town must approve the district by June 30, 2013 in order to establish the district.

Committee Amendment "A" (H-391)

This amendment is the minority report of the committee and makes the following changes to the bill, which establishes Hospital Administrative District No. 5, a regional hospital administrative district in Lincoln County.

1. The amendment removes the requirement that the district initially operate a hospital and provide health care services from the existing St. Andrews Hospital and Healthcare Center campus and instead provides authorization to

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operate a hospital and provide health care services.

2. The amendment provides an option for a town to have its municipal officers appoint the town's initial members on the board of directors of the district.
3. The amendment increases the number of members on the board of directors of the district from 7 to up to 11 depending on which towns join and adjusts the staggered membership in the first year accordingly.
4. The amendment allows a town to vote to withdraw from the district but requires such a town to assume responsibility for a proportionate share of the indebtedness of the district.
5. The amendment clarifies that voting lists must be obtained by the district's registration clerk from each town in the district on paper or electronically instead of requiring the registration clerk to compile a district voting list from the towns' lists. The amendment provides that the towns must supply the lists at no charge.
6. The amendment removes language that is not needed because elections to form the district are conducted by towns using the towns' voting lists, which can be printed the day before the elections and include up-to-date information, and are conducted in accordance with the municipal election process.
7. The amendment requires the result of the election to form the district to be filed in town records.
8. The amendment requires town clerks to report the results of the elections to the registration clerk, who must compile and declare the results, instead of requiring the town clerks to file certification with the Secretary of State.

LD 1133 An Act Concerning the Removal of Municipal Employees

**DIED IN
CONCURRENCE**

<u>Sponsor(s)</u>	<u>Committee Report</u>	<u>Amendments Adopted</u>
CLEVELAND	ONTP OTP-AM	S-141 S-349 HILL

This bill specifies that municipal employees who are not appointed pursuant to general law, charter or ordinance may only be removed for cause.

Committee Amendment "A" (S-141)

This amendment is the minority report and replaces the bill and clarifies that municipal officials and employees required by general law, charter or ordinance and those whose appointment is not otherwise provided for by general law, charter or ordinance may only be removed for cause.

Senate Amendment "A" To Committee Amendment "A" (S-349)

This amendment adds a mandate preamble.

**LD 1138 An Act Related to Appeals of Disciplinary Proceedings Affecting
County Employees**

**DIED BETWEEN
HOUSES**

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