

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

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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.

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board if that business entity or individual does business with any company, or any subsidiary, affiliate or parent of any company, that does business with a country designated as a state sponsor of terrorism.

Committee Amendment "A" (H-474)

This amendment is the minority report of the committee and strikes the bill and replaces it with a resolve. The amendment directs the Department of Administrative and Financial Services to research all vendors whose contracts were competitively bid and whether they or their affiliates do business with a country designated as a state sponsor of terrorism. The amendment directs the Department of Administrative and Financial Services to recommend actions the State can take to limit contracts with corporations that contract with terrorist states and report its findings to the Office of the Attorney General and the joint standing committee of the Legislature having jurisdiction over state and local government matters by January 15, 2015. The amendment also directs the Office of the Attorney General to review and advise the joint standing committee on the recommendations from the Department of Administrative and Financial Services by February 15, 2015. It provides that the joint standing committee may submit a bill related to the subject matter of the reports to the First Regular Session of the 127th Legislature. The amendment also adds an appropriations and allocations section.

LD 1344 An Act To Modernize the State's Legal Notice Requirements

**ACCEPTED
MAJORITY
(ONTP) REPORT**

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

This bill requires that legal notices appearing in a newspaper also appear in any publicly accessible website that the newspaper maintains. Legal notices on a newspaper website must appear on the same date that they appear in print editions of the newspaper; be reachable by a link from the website's home page; be presented in a clear and conspicuous manner; and be the dominant subject matter of the website page on which they appear. Beginning in July 2014, the newspaper website must also offer a search function for legal notices on the website. The bill also requires a statewide association representing newspapers to establish and maintain, at its own expense, a publicly accessible repository for legal notices appearing on newspaper websites.

Committee Amendment "A" (H-446)

This amendment is the minority report of the committee and provides that the statewide association representing newspapers that under the bill is required to establish and maintain a publicly accessible electronic repository is responsible for providing e-mail notification of legal notices upon request and at no charge.

LD 1357 An Act To Support Maine Businesses through State Purchasing

**ACCEPTED
MAJORITY
(ONTP) REPORT**

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

This bill requires that the State, when awarding contracts or purchases for the State or any department or agency of the State, award the contract or purchase to an in-state bidder or person offering commodities produced or manufactured in the State as long as the bid is within 2.5% of the otherwise best-value bidder. This bill also gives preference in the award of construction and public works contracts by the State and its political subdivisions to

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workers and bidders who are residents of the State, as long as their bids are within 2.5% of the bids submitted by out-of-state bidders.

Committee Amendment "A" (S-235)

This amendment is the minority report of the committee and provides that preference for in-state bidders or Maine products applies to contracts or purchases under \$100,000. The amendment retains the provision of the bill that requires that the State, counties, cities and towns and every charitable or educational institution supported in whole or in part by and granted by the State or any municipality give preference to workers and bidders from the State when awarding contracts if the bids are within 2.5% of the bids submitted by out-of-state contractors but removes language that limits the provision to contracts for constructing, altering, repairing, furnishing or equipping buildings or public works. The amendment also adds an appropriations and allocations section.

LD 1369 An Act To Change the Way Legislators Are Paid

**ACCEPTED
MAJORITY
(ONTP) REPORT**

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

This bill changes the pay to members of the Senate and House of Representatives in the first year of the legislative session from the current rate of \$13,852 to \$20,000 and the pay in the 2nd year of the legislative session from the current rate of \$9,661 to \$20,000 and removes the cost-of-living adjustment beginning November 30, 2014. Members of the Penobscot Nation, Passamaquoddy Tribe and Houlton Band of Maliseet Indians receive pay equal to that of members of the Senate and House of Representatives. The bill repeals the law that provides additional legislative pay for each day's attendance at a special session, but keeps the provision that provides expenses and mileage payments to Legislators during a special session. The bill also removes the provision of health insurance to Legislators and allows them to purchase health insurance for themselves and for their dependents at the rate at which the State purchases health insurance. Legislators may also purchase life insurance through the State. The bill also requires the Board of Trustees of the Maine Public Employees Retirement System to submit legislation by January 1, 2014 to close the Legislative Retirement Program by July 1, 2014. The legislation must allow members of the Legislative Retirement Program who are eligible for the State Employee and Teacher Retirement Program to become members of the State Employee and Teacher Retirement Program. Members of the Legislative Retirement Program who do not become members of the State Employee and Teacher Retirement Program will receive a refund of accumulated contributions. Legislators are considered self-employed and independent contractors and are responsible for paying taxes including the employer and employee portions of social security and Medicare.

Committee Amendment "A" (H-475)

This amendment is the minority report of the committee and provides that Legislators are paid \$18,000 in both the first regular session and the second regular session instead of \$20,000 in each session as provided in the bill. The amendment requires the Executive Director of the Legislative Council to determine the implications of considering Legislators self-employed and independent contractors and to report findings and recommendations on the effect of such a consideration on workers' compensation, unemployment insurance, retirement, Social Security and Medicare benefits, disability and withholding obligations to the Joint Standing Committee on State and Local Government by February 15, 2014. The Joint Standing Committee on State and Local Government may report out a bill in the Second Regular Session of the 126th Legislature related to the findings and recommendations in the report. This amendment adds an appropriations and allocations section to the bill.