

MAINE STATE LEGISLATURE

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STATE OF MAINE
127TH LEGISLATURE
FIRST REGULAR SESSION



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

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

August 2015

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STATE OF MAINE

127TH 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 127th 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. An appendix provides a summary of relevant session statistics.

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 & 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&S XXX</i>	<i>chapter # of enacted private & 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 First Regular Session of the 127th Legislature is October 15, 2015. 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 funding for the Fund for the Efficient Delivery of Local and Regional Services from General Fund appropriations to monthly transfers of two percent of all receipts transferred to the Local Government Fund before the distributions to municipalities.

This bill was not referred to a committee.

LD 494 An Act Regarding the Maintenance of Easements

ONTP

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

This bill provides that a municipality must maintain a public easement held by the municipality to ensure use and enjoyment in accordance with the definition of a public easement. A municipality must also maintain an easement when a municipality votes affirmatively to make a way an easement for recreational use.

LD 495 An Act To Make Minor Nonsubstantive Changes to the Laws Affecting the Office of the State Auditor

PUBLIC 44

<u>Sponsor(s)</u>	<u>Committee Report</u>	<u>Amendments Adopted</u>
MARTIN R WILLETTE	OTP	

This bill makes changes to the laws governing the Office of the State Auditor to repeal obsolete laws and make other minor changes. It does the following:

1. Removes language regarding monthly reporting by the District Court to the State Auditor of court fines, surcharges and assessments and language regarding reporting of fees to the State Auditor by clerks of judicial courts;
2. Restricts the permanent employment of certain officers in the Office of the State Auditor, including the State Auditor, to certified public accountants, certified information systems auditors and certified internal auditors;
3. Updates references to public accountants;
4. Removes language regarding forms prescribed by the Office of the State Auditor that are to be used by clerks of the Superior Court to record certain fines, costs and forfeitures and language regarding the auditing of certain bills and accounts of counties;
5. Repeals language regarding the State Auditor's establishing a process for oversight of local unit of government compliance with state mandates and use of state funds and removes language regarding the Office of the State Auditor's receiving by mail copies of certain notices to municipalities;
6. Changes language regarding the auditing standards of municipal postaudits to replace a reference to the State Auditor, who does not establish auditing standards, with a reference to the United States Government Accountability Office, which does;
7. Makes further changes to the law regarding municipal postaudits to reflect that the Office of the State Auditor is usually not involved with municipal audits, including audits regarding jail supplies;

Joint Standing Committee on State and Local Government

- 8. Repeals a provision regarding the State Auditor's reporting of the financial matters of municipalities and quasi-municipal corporations; and
- 9. Changes the laws governing the Board of Emergency Municipal Finance to remove language requiring the State Auditor to determine whether a municipality or unorganized territory is unable to provide for its direct relief and work programs.

Enacted Law Summary

Public Law 2015, chapter 44 makes changes to the laws governing the Office of the State Auditor to repeal obsolete laws and make other minor changes. It does the following:

- 1. Removes language regarding monthly reporting by the District Court to the State Auditor of court fines, surcharges and assessments and language regarding reporting of fees to the State Auditor by clerks of judicial courts;
- 2. Restricts the permanent employment of certain officers in the Office of the State Auditor, including the State Auditor, to certified public accountants, certified information systems auditors and certified internal auditors;
- 3. Updates references to public accountants;
- 4. Removes language regarding forms prescribed by the Office of the State Auditor that are to be used by clerks of the Superior Court to record certain fines, costs and forfeitures and language regarding the auditing of certain bills and accounts of counties;
- 5. Repeals language regarding the State Auditor's establishing a process for oversight of local unit of government compliance with state mandates and use of state funds and removes language regarding the Office of the State Auditor's receiving by mail copies of certain notices to municipalities;
- 6. Changes language regarding the auditing standards of municipal postaudits to replace a reference to the State Auditor, who does not establish auditing standards, with a reference to the United States Government Accountability Office, which does;
- 7. Makes further changes to the law regarding municipal postaudits to reflect that the Office of the State Auditor is usually not involved with municipal audits, including audits regarding jail supplies;
- 8. Repeals a provision regarding the State Auditor's reporting of the financial matters of municipalities and quasi-municipal corporations; and
- 9. Changes the laws governing the Board of Emergency Municipal Finance to remove language requiring the State Auditor to determine whether a municipality or unorganized territory is unable to provide for its direct relief and work programs.

LD 496 Resolve, To Transfer Certain State-owned Property to the Town of East ONTP
Millinocket

<u>Sponsor(s)</u>	<u>Committee Report</u>	<u>Amendments Adopted</u>
STANLEY DILL	ONTP	

This resolve authorizes the State to transfer to the Town of East Millinocket certain parcels of land previously transferred to the State by the Katahdin Paper Company, LLC.