

STATE OF MAINE
128TH LEGISLATURE
FIRST REGULAR SESSION



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

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

August 2017

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Joint Standing Committee on State and Local Government

LD 3 An Act To Grant Plantations the Power To Control Consumer Fireworks

**PUBLIC 3
EMERGENCY**

<u>Sponsor(s)</u>	<u>Committee Report</u>	<u>Amendments Adopted</u>
DEVIN M DILL J	OTP	

This bill grants to plantations the power to control the sale and use of consumer fireworks in the same manner that municipalities may control consumer fireworks.

Enacted Law Summary

Public Law 2017, chapter 3 grants to plantations the power to control the sale and use of consumer fireworks in the same manner that municipalities may control consumer fireworks.

Public Law 2017, chapter 3 was enacted as an emergency measure effective March 24, 2017.

LD 15 An Act Concerning the Property Tax Levy Limit

**Died Between
Houses**

<u>Sponsor(s)</u>	<u>Committee Report</u>	<u>Amendments Adopted</u>
HANLEY J DAVIS P	OTP ONTP	

This bill eliminates the requirement to conduct a vote by a written ballot on a separate article on the warrant to exceed or increase the property tax levy limit in a municipality where the budget is approved by a town meeting or a referendum.

LD 23 An Act To Provide for Legislative Review of Federally Mandated Major Substantive Rules under the Maine Administrative Procedure Act

Veto Sustained

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

This bill repeals the provision of law that exempts from legislative review major substantive rules that must be adopted to comply with federal law or to qualify for federal funds.

LD 24 An Act To Change the Name of Township 17, Range 4, WELS, in the Unorganized Territory to Sinclair

**P & S 2
EMERGENCY**

<u>Sponsor(s)</u>	<u>Committee Report</u>	<u>Amendments Adopted</u>
MARTIN D JACKSON T	OTP-AM	H-5

This bill authorizes the Aroostook County Board of Commissioners to seek approval from the residents of Township 17, Range 4, WELS, to rename the township to Sinclair.

Committee Amendment "A" (H-5)

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This amendment adds an emergency preamble and emergency clause to the bill.

Enacted Law Summary

Private and Special Law 2017, chapter 2 authorizes the Aroostook County Board of Commissioners to seek approval from the residents of Township 17, Range 4, WELS, to rename the township to Sinclair.

Private and Special Law, chapter 2 was enacted as an emergency measure effective April 9, 2017.

**LD 25 An Act To Remove the Legislative Council from the Capitol Area Died Between
Development Approval Process Houses**

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

This bill eliminates the requirement that construction projects located within the Capitol Area receive approval of the Legislative Council.

**LD 45 Resolve, Concerning the Ownership of a Causeway on Long Lake near Veto Sustained
St. Agatha**

<u>Sponsor(s)</u>	<u>Committee Report</u>	<u>Amendments Adopted</u>
JACKSON T MARTIN D	OTP-AM	S-88

This bill is a concept draft pursuant to Joint Rule 208.

This bill proposes to clarify ownership of a causeway linking Pelletier Island on Long Lake near St. Agatha and Sinclair to Beaulieu Road.

Committee Amendment "A" (S-88)

This amendment replaces the bill, which is a concept draft, with a resolve. The amendment directs the Commissioner of Environmental Protection, the Commissioner of Agriculture, Conservation and Forestry and the Commissioner of Transportation to convene a working group, including local stakeholders, to study the ownership of the causeway connecting Pelletier Island located on Long Lake near St. Agatha to the mainland. The resolve requires the group to examine options and develop recommendations to resolve the ownership of the causeway and to submit a report to the Joint Standing Committee on State and Local Government no later than November 30, 2017. It authorizes the committee to report out a bill related to the report to the Second Regular Session of the 128th Legislature.

LD 69 An Act To Increase the Salary of the Governor ONTP

<u>Sponsor(s)</u>	<u>Committee Report</u>	<u>Amendments Adopted</u>
FARRIN B WHITTEMORE R	ONTP	

This bill increases the Governor's salary from \$70,000 per year to \$150,000 per year beginning January 2019.

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LD 71 Resolve, Directing the Secretary of State To Request That the United States Secretary of Transportation Place Maine in the Atlantic Standard Time Zone ONTP

<u>Sponsor(s)</u>	<u>Committee Report</u>	<u>Amendments Adopted</u>
DILLINGHAM K BRAKEY E	ONTP	

This resolve directs the Secretary of State to request that the United States Secretary of Transportation place Maine in the Atlantic Standard Time zone. This resolve is subject to approval by the voters at referendum.

LD 93 An Act To Reduce Fuel Costs to State and Local Government ONTP

<u>Sponsor(s)</u>	<u>Committee Report</u>	<u>Amendments Adopted</u>
MIRAMANT D COOPER J	ONTP	

This bill amends the law regarding state government purchases of cars and light duty trucks with respect to fuel efficiency requirements. The bill removes the current exception from the fuel efficiency requirement for vehicles purchased for law enforcement and other special use purposes. The bill also establishes fuel efficiency requirements, at the same level as the state requirements, for county and municipal government purchases of cars and light duty trucks.

LD 105 An Act To Create a Centralized Authority To Combat Opiate Addiction in Maine CARRIED OVER

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

This bill establishes an office within the Department of Health and Human Services to coordinate efforts in the State to combat addiction to opiates.

This bill was carried over to any special or regular session of the 128th Legislature by joint order, H.P. 1138.

LD 150 An Act Regarding the Funding of Volunteer Fire Departments PUBLIC 33

<u>Sponsor(s)</u>	<u>Committee Report</u>	<u>Amendments Adopted</u>
THERIAULT T MAKER J	OTP-AM	H-46

This bill repeals statutory language that authorizes a municipality to make appropriations to an incorporated volunteer fire department without itemizing the purposes for which the appropriation will be spent when the amount appropriated is \$1,000 or less.

Committee Amendment "A" (H-46)

This amendment clarifies that municipal appropriations, in any amount, to volunteer fire departments must be

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itemized.

Enacted Law Summary

Public Law 2017, chapter 33 removes the authority for municipalities to appropriate amounts of \$1,000 or less to volunteer fire departments without itemizing the purpose of the appropriation and clarifies that municipal appropriations, in any amount, to volunteer fire departments must be itemized.

LD 152 An Act To Strengthen Intragovernment Communication Veto Sustained

<u>Sponsor(s)</u>	<u>Committee Report</u>	<u>Amendments Adopted</u>
MARTIN D JACKSON T	OTP-AM ONTP	H-180

This bill requires the commissioner or director of a state agency, which includes executive branch departments and quasi-independent agencies, to appear before a joint standing committee of the Legislature or a study commission or work group formed by legislative action and to participate in a hearing or work session of that committee, commission or work group. The bill requires that the request to appear must be made in writing and provide the date and time of the hearing or work session.

Committee Amendment "A" (H-180)

This amendment is the majority report of the committee. The amendment adds a provision to the bill to require the commissioner or director of a state agency, or the commissioner's or director's designee, to respond in a cooperative and timely manner when contacted by a member of the Legislature regarding a legislative or constituent matter.

LD 203 An Act To Opt Out of Federal Daylight Saving Time and To Ask the United States Secretary of Transportation To Place the State in the Atlantic Time Zone Died Between Houses

<u>Sponsor(s)</u>	<u>Committee Report</u>	<u>Amendments Adopted</u>
BAILEY D	OTP-AM OTP-AM	H-76

This bill creates an exemption to federal provisions regarding the observation of so-called Eastern Daylight Saving Time in the State and requires the Secretary of State to request that the United States Secretary of Transportation place the State in the Atlantic Standard Time Zone.

Committee Amendment "A" (H-76)

This amendment, which is the majority report of the committee, replaces the bill. It does the following.

1. It adds a provision that requires the Secretary of State to monitor legislative activity in Massachusetts and New Hampshire regarding placement of those states in the Atlantic Standard Time Zone.
2. It provides that if the Atlantic Standard Time Zone is adopted by Massachusetts and New Hampshire, the Secretary of State must submit to the voters of the State a referendum question asking voters to choose if the State should seek placement in the Atlantic Standard Time Zone and opt out of observing daylight saving time.
3. It provides that if the referendum question is approved, the Secretary of State is required to request that the United States Secretary of Transportation place the State in the Atlantic Standard Time Zone.

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4. The bill exempts the State from daylight saving time. The amendment provides that if the State is placed by the United States Secretary of Transportation in the Atlantic Standard Time Zone, the State no longer observes daylight saving time and Atlantic Standard Time is the standard time throughout the year without advancement during any period.

5. The bill, contingent on a time zone change, changes the law governing periods of closure for hauling lobster traps. The amendment does not retain that provision.

Committee Amendment "B" (H-77)

This amendment, which is the minority report of the committee, replaces the bill. The amendment does the following.

1. It requires the Secretary of State to monitor legislative activity in Massachusetts and New Hampshire regarding placement of those states in the Atlantic Standard Time Zone.

2. It makes the State's request to the United States Secretary of Transportation to place the State in the Atlantic Standard Time Zone contingent on the adoption of the Atlantic Standard Time Zone by Massachusetts and New Hampshire and requires the Secretary of State to notify the Revisor of Statutes and the joint standing committee of the Legislature having jurisdiction over state and local government matters when the United States Secretary of Transportation has approved placement of the State in the Atlantic Standard Time Zone.

3. The bill exempts the State from daylight saving time. The amendment provides that if the State is placed by the United States Secretary of Transportation in the Atlantic Standard Time Zone, the State no longer observes daylight saving time and Atlantic Standard Time is the standard time throughout the year without advancement during any period.

4. The bill, contingent on a time zone change, changes the law governing periods of closure for hauling lobster traps. The amendment does not retain that provision.

This amendment was not adopted.

LD 234	An Act To Clarify the Status of a Certain Section of the Pelletier Road in the Town of Frenchville as a Town Way	Leave to Withdraw Pursuant to Joint Rule
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<u>Sponsor(s)</u>	<u>Committee Report</u>	<u>Amendments Adopted</u>
MARTIN D JACKSON T		

This bill is a concept draft pursuant to Joint Rule 208.

This bill proposes to clarify the status of a certain section of the Pelletier Road in the Town of Frenchville as a town way.

LD 288	An Act To Limit Questions Regarding Criminal History on State Employment Applications	CARRIED OVER
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<u>Sponsor(s)</u>	<u>Committee Report</u>	<u>Amendments Adopted</u>
SHEATS B MIRAMANT D	OTP-AM	H-242

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This bill prohibits any application form for employment for any position in State Government from including questions about an applicant's criminal history.

Committee Amendment "A" (H-242)

The amendment replaces the bill. Like the bill, the amendment prohibits the State from including questions about criminal history on its employment application forms. The amendment provides an exception to that prohibition when, due to the nature and requirements of the position, a person who has a criminal history record may be disqualified from eligibility, such as for a law enforcement officer, corrections officer, child protective and adult protective services caseworker or child development services worker. The amendment applies to state employment positions in the legislative, executive or judicial branches of State Government and positions with quasi-independent state entities or public instrumentalities of the State; it does not apply to positions in school administrative units, municipalities, counties or other political subdivisions of the State. This amendment also provides funding to the Department of Administrative and Financial Services for computer modifications made necessary by the amendment.

This bill was reported out of committee and then carried over to the next special or regular session of the 128th Legislature on the Special Appropriations Table by joint order, S.P. 601.

LD 303 An Act To Change the Name of Captain Ambrose Bear Stream INDEF PP

<u>Sponsor(s)</u>	<u>Committee Report</u>	<u>Amendments Adopted</u>
CARPENTER M SHERMAN R		

This bill was not referred to committee.

This bill requires the Aroostook County Commissioners to rename Captain Ambrose Bear Stream in and near the Town of Houlton in Aroostook County to B Stream. The bill also requires the county commissioners to notify the appropriate authorities and agencies of the name change. It requires the Department of Transportation to change any existing road signs designating Captain Ambrose Bear Stream to refer to B Stream. The bill also requires the Department of Inland Fisheries and Wildlife to amend its rules to change the name of Captain Ambrose Bear Stream to B Stream, and it changes the name where it appears in statute.

LD 328 An Act To Encourage Regional Planning and Reorganization CARRIED OVER

<u>Sponsor(s)</u>	<u>Committee Report</u>	<u>Amendments Adopted</u>
GRANT G BELLOWS S	OTP-AM	H-150

The bill provides \$25,000,000 in fiscal year 2017-18 and \$0 in fiscal year 2018-19 to the Fund for the Efficient Delivery of Local and Regional Services to encourage regional planning and reorganization for towns and municipalities to decrease the duplication of services.

Committee Amendment "A" (H-150)

The bill provides \$25,000,000 in fiscal year 2017-18 and \$0 in fiscal year 2018-19 to the Fund for the Efficient Delivery of Local and Regional Services. This amendment instead provides \$5,000,000 in fiscal year 2017-18 and \$5,000,000 in fiscal year 2018-19 to the Fund for the Efficient Delivery of Local and Regional Services and shifts responsibility for the administration of the fund from the Department of Administrative and Financial Services to

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the Department of Economic and Community Development. The amendment also adds capital grants as a third type of grant available from the fund; current law provides for planning grants and cooperative services grants.

This bill was reported out of committee and then carried over to the next special or regular session of the 128th Legislature on the Special Appropriations Table by joint order, S.P. 601.

LD 329 An Act Concerning the Law Governing the Posting of Newspaper Legal Notices and the Statewide Repository for Legal Notices PUBLIC 19

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

This bill removes the provision in law that repeals on January 1, 2018 the law governing the electronic posting of legal notices. That law requires the posting of a legal notice appearing in a newspaper on a publicly accessible website maintained by the newspaper and requires a statewide association representing newspapers to maintain a publicly accessible electronic repository of legal notices.

Enacted Law Summary

Public Law 2017, chapter 19 removes the provision in law that repeals on January 1, 2018 the law governing the electronic posting of legal notices. That law requires the posting of a legal notice appearing in a newspaper on a publicly accessible website maintained by the newspaper and requires a statewide association representing newspapers to maintain a publicly accessible electronic repository of legal notices.

LD 379 An Act To Provide Stability and Continuity in the Department of Education Died Between Houses

<u>Sponsor(s)</u>	<u>Committee Report</u>	<u>Amendments Adopted</u>
MILLETT R KORNFIELD T	OTP-AM ONTP	

This bill is a concept draft pursuant to Joint Rule 208.

This bill proposes to provide stability and continuity in the Department of Education by enacting measures designed to ensure the timely nomination of the Commissioner of Education and to discourage repeated appointments of acting commissioners.

Committee Amendment "A" (S-170)

This amendment is the majority report of the committee. The amendment replaces the bill, which is a concept draft. The amendment requires the Governor to nominate a candidate for commissioner of an executive branch department, other than the Department of Education, within 90 days of a vacancy in the position of commissioner and, in the event a candidate nominated to fill a vacancy is not confirmed by the Legislature, requires the Governor to post a nomination of an alternative candidate within 90 days of the Senate confirmation vote. For a vacancy in the office of the Commissioner of Education, the amendment provides 120 days for the nomination to allow for the required review by the State Board of Education prior to posting the nomination of a candidate. In the event the candidate is not confirmed by the Legislature, the amendment provides an additional 120 days for the Governor to post the nomination of an alternative candidate.

This amendment was not adopted.

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LD 402 An Act To Establish Maine Buy Local Month

Died Between Houses

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

This bill designates November as Maine Buy Local Month and directs the Department of Economic and Community Development to encourage buying from local businesses and to increase awareness of the economic effect of buying from local businesses.

Committee Amendment "A" (H-31)

This amendment is the majority report of the committee. The amendment adds an appropriations and allocations section to the bill.

This amendment was not adopted.

LD 432 An Act To Designate a Maine Community Litter Cleanup Day

PUBLIC 41

<u>Sponsor(s)</u>	<u>Committee Report</u>	<u>Amendments Adopted</u>
WADSWORTH N HAMPER J	OTP	

This bill establishes the first Saturday in May as Maine Community Litter Cleanup Day.

Enacted Law Summary

Public Law 2017, chapter 41 establishes the first Saturday in May as Maine Community Litter Cleanup Day.

LD 473 An Act To Quantitatively Evaluate State Contracts

CARRIED OVER

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

This bill is a concept draft pursuant to Joint Rule 208.

This bill proposes to create a process to quantitatively evaluate competitive bids for state contracts in terms of the total economic value to the State. The process established by this bill would apply to state service contracts expected to exceed \$100,000 in total value and would include scoring criteria that evaluate the economic impact of the proposer's bid on the state economy and state revenues. In evaluating economic impact, the process would use economic multipliers to measure the impact of the use of raw materials from in-state sources, the employment of state residents and the use of in-state vendors, consultants and subcontractors. The process established by the bill will be consistent with the terms of Executive Order 2012-004, An Order Directing Certain Evaluation Criteria in Competitive Bidding.

This bill was carried over to any special or regular session of the 128th Legislature by joint order, H.P. 1138.

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**LD 491 An Act To Extend the Allowed Time for the Interchange of Educators
between School Administrative Units and the Department of Education**

PUBLIC 279

<u>Sponsor(s)</u>	<u>Committee Report</u>	<u>Amendments Adopted</u>
TURNER B BRAKEY E	OTP-AM	H-65

This bill amends the law governing the interchange of employees between government departments, agencies and instrumentalities. It increases the maximum period of an interchange assignment from 12 to 24 months.

Committee Amendment "A" (H-65)

This amendment changes the title and replaces the bill. The amendment provides for a maximum period of an employee interchange assignment of 24 months in any 36-month period for an educator participating in an interchange program between the educator's school administrative unit and the Department of Education. The amendment creates an exception to the provision of law governing interchange programs, which establishes a maximum period of 12 months in any 36-month period.

Enacted Law Summary

Public Law 2017, chapter 279 provides for a maximum period of an employee interchange assignment of 24 months in any 36-month period for an educator participating in an interchange program between the educator's school administrative unit and the Department of Education. The law creates an exception to the provision of law governing interchange programs, which establishes a maximum period of 12 months in any 36-month period.

**LD 497 An Act To Require That Candidates for the Office of County Sheriff
Who Meet the Basic Corrections Training Standards Have Corrections
Supervisory Experience**

**Died Between
Houses**

<u>Sponsor(s)</u>	<u>Committee Report</u>	<u>Amendments Adopted</u>
HARRINGTON M CYRWAY S	OTP ONTP	

Current law requires a candidate for county sheriff to submit written certification from the Maine Criminal Justice Academy that the person has met the basic law enforcement training standards under the Maine Revised Statutes, Title 25, section 2804-C or the basic corrections training standards under Title 25, section 2804-D and to swear to or affirm that the candidate has at least five years of supervisory experience. This bill requires that a candidate who meets the training requirements by meeting the basic corrections training standards must also swear to or affirm that the candidate has at least five years of supervisory employment experience in the field of corrections. This bill exempts from this requirement a person serving in the office of sheriff on January 1, 2018 or who served prior to that date. The bill includes an effective date of January 1, 2018.

LD 540 An Act To Help Municipalities Prepare for Sea Level Rise

Veto Sustained

<u>Sponsor(s)</u>	<u>Committee Report</u>	<u>Amendments Adopted</u>
BLUME L MIRAMANT D	OTP-AM	H-28

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This bill amends the State's growth planning and land use laws to reflect that addressing the effects of sea level rise is a state planning and regulatory goal. The bill amends the laws regarding the State's coastal management policies to direct state, local and certain federal agencies responsible for regulating, planning, developing or managing coastal resources to conduct their activities affecting the coastal area consistent with the policy of encouraging the assessment of and planning for the effects of the rise in sea level. The bill provides that if a coastal municipality or multimunicipal region that includes a coastal municipality adopts a growth management program under the State's growth planning and land use laws, it may include in its comprehensive plan projections regarding sea level changes and the potential effects of the rise in sea level and may develop a coordinated plan for addressing the effects of the rise in sea level. The bill also provides that "coastal municipality" means a municipality or township in the coastal zone as identified by the Department of Agriculture, Conservation and Forestry, Maine Coastal Program.

Committee Amendment "A" (H-28)

This amendment removes from the bill the provision that directs government agencies responsible for regulating, planning, developing or managing coastal resources to conduct their activities consistent with the policy of encouraging the assessment of and planning for the effects of the rise in sea level.

LD 618 Resolve, Authorizing the Mount Hunger Area of the Town of Gray To Proceed with the Secession Process Accepted Majority (ONTP) Report

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

This resolve is a concept draft pursuant to Joint Rule 208.

This resolve proposes to authorize the Mount Hunger area of the Town of Gray to proceed with the secession process.

Committee Amendment "A" (H-70)

This amendment is the minority report of the committee. The amendment replaces the bill, which is a concept draft. The amendment authorizes the Mount Hunger area of the Town of Gray to proceed with the secession process in accordance with the Maine Revised Statutes, Title 30-A, chapter 113, subchapter 2.

This amendment was not adopted.

LD 619 Resolve, Authorizing the Area of the West Side of Little Sebago Lake of the Town of Gray To Proceed with the Secession Process Accepted Majority (ONTP) Report

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

This resolve is a concept draft pursuant to Joint Rule 208.

This resolve proposes to authorize the area of the west side of Little Sebago Lake of the Town of Gray to proceed with the secession process.

Committee Amendment "A" (H-71)

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This amendment is the minority report of the committee. The amendment replaces the resolve, which is a concept draft. The amendment authorizes the west side of Little Sebago Lake in the Town of Gray to proceed with the secession process in accordance with the Maine Revised Statutes, Title 30-A, chapter 113, subchapter 2.

This amendment was not adopted.

LD 635 An Act To Incentivize Legislative Carpooling

Accepted Majority (ONTP) Report

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

This bill provides for an increased mileage reimbursement rate for Legislators who transport other Legislators in a car pool to or from legislative meetings and sessions. The bill provides for a 25% increase in the rate paid per mile for each additional passenger and specifies that the passenger is not eligible for mileage reimbursement.

Committee Amendment "A" (H-32)

This amendment incorporates a fiscal note.

This amendment was not adopted.

LD 648 An Act To Expand the Types of Nonprofit Organizations to Which Surplus Property May Be Sold by the State

PUBLIC 310

<u>Sponsor(s)</u>	<u>Committee Report</u>	<u>Amendments Adopted</u>
GRANT G BELLOWS S	OTP	

This bill amends the law regarding sales of government surplus property to expand the types of nonprofit organizations that must be given an opportunity to purchase government surplus property through private sales to include any nonprofit organization that has been determined to be exempt from taxation under the federal tax code.

Enacted Law Summary

Public Law 2017, chapter 301 amends the law regarding sales of government surplus property to expand the types of nonprofit organizations that must be given an opportunity to purchase government surplus property through private sales to include any nonprofit organization that has been determined to be exempt from taxation under the federal tax code.

LD 725 An Act To Recognize Local Control Regarding Food Systems

PUBLIC 215

<u>Sponsor(s)</u>	<u>Committee Report</u>	<u>Amendments Adopted</u>
JACKSON T HICKMAN C	OTP-AM ONTP	S-74 S-136 JACKSON T

This bill authorizes municipal governments to regulate local food systems and the transport of water for commercial purposes by ordinance and requires the State to recognize such ordinances.

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Committee Amendment "A" (S-74)

This amendment is the majority report of the committee. This amendment strikes the language in the bill authorizing municipal governments to regulate by ordinance the transport of water for commercial purposes.

Senate Amendment "A" (S-136)

This amendment requires an ordinance adopted by a municipality to apply only to food or food products grown or processed in the municipality by individuals who sell directly to consumers. This amendment also requires any food or food products grown, produced or processed in the municipality intended for wholesale or retail distribution outside of the municipality to comply with state and federal laws, rules and regulations.

Enacted Law Summary

Public Law 2017, chapter 215 authorizes municipal governments to regulate local food systems by ordinance and requires the State to recognize such ordinances. The law requires an ordinance to regulate local food systems adopted by a municipality to apply only to food or food products grown or processed in the municipality by individuals who sell directly to consumers. It also requires any food or food products grown, produced or processed in the municipality intended for wholesale or retail distribution outside of the municipality to comply with state and federal laws, rules and regulations.

LD 740 An Act To Promote Efficiency and Accountability to Taxpayers in Personal Services Contracting Died Between Houses

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

This bill is a concept draft pursuant to Joint Rule 208.

This bill proposes to amend the laws regarding personal services contracting by the State to ensure that personal services contracting is done only when authorized and necessary and to provide transparency in the personal services contracting process.

Committee Amendment "A" (H-199)

This amendment is the majority report of the committee. The amendment replaces the bill, which is a concept draft. The amendment requires a department or agency of the State to submit a proposed contract to the Attorney General for review and approval when the department or agency determines the contract may expose the State to substantial risk in the event of nonperformance or is expected to incur costs to the State in excess of \$3,000,000.

This amendment was not adopted.

LD 780 An Act Authorizing the Deorganization of Cary Plantation CARRIED OVER

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

This bill provides for the deorganization of Cary Plantation in Aroostook County, subject to approval at local referendum.

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This bill was carried over to any special or regular session of the 128th Legislature by joint order, H.P. 1138.

LD 823 An Act To Promote Transparency with Respect to Surveillance Technology CARRIED OVER

<u>Sponsor(s)</u>	<u>Committee Report</u>	<u>Amendments Adopted</u>
BELLOWS S MOONEN M		

This bill requires a state entity to hold a public hearing and obtain legislative approval prior to engaging in certain activities relating to the acquisition and use of surveillance technology.

This bill was carried over to any special or regular session of the 128th Legislature by joint order, H.P. 1138.

LD 830 An Act To Authorize Portions of the City of Caribou to Secede and Form the Town of Lyndon ONTP

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

This bill authorizes the incorporation of certain portions of the City of Caribou into the Town of Lyndon if the legal residents of those parts approve, by referendum, separation from the City of Caribou and incorporation as a separate town. The bill clarifies the binding arbitration process and specifies the liability and rights of the City of Caribou and the Town of Lyndon. The meets and bounds describing the proposed Town of Lyndon have not been verified by a licensed professional land surveyor.

LD 849 An Act To Require the State To Maintain an Interest-bearing Account of Privately Donated Funds for Saxl Park in the City of Bangor P & S 8

<u>Sponsor(s)</u>	<u>Committee Report</u>	<u>Amendments Adopted</u>
FREY A	OTP-AM	H-178

This bill allows the State to deposit privately donated funds received for the purpose of upkeep of property managed by the State into an interest-bearing account. The bill requires that any interest earned on the donated funds be also used for the upkeep of the property.

Committee Amendment "A" (H-178)

This amendment replaces the bill. The amendment requires the State to deposit into an interest-bearing account privately donated funds received by the State to expend on behalf of the Saxl Park Advisory Committee for the purpose of maintaining, operating and improving Saxl Park in the City of Bangor. The requirement applies to the unexpended balance of funds previously received by the State for this purpose and requires interest earned to be used for the same purpose. The amendment repeals Resolve 2007, chapter 201, section 10, subsection 2, which pertains to private donations to benefit Saxl Park.

Enacted Law Summary

Private and Special Law 2017, chapter 8 requires the State to deposit into an interest-bearing account privately donated funds received by the State to expend on behalf of the Saxl Park Advisory Committee for the purpose of maintaining, operating and improving Saxl Park in the City of Bangor. The requirement applies to the unexpended balance of funds previously received by the State for this purpose and requires interest earned to be used for the

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same purpose. This law also repeals Resolve 2007, chapter 201, section 10, subsection 2, which pertains to private donations to benefit Saxl Park.

LD 850 An Act To Prohibit a Person from Providing False Testimony to a Committee of the Legislature Died Between Houses

<u>Sponsor(s)</u>	<u>Committee Report</u>	<u>Amendments Adopted</u>
SIROCKI H BRAKEY E	ONTP OTP-AM OTP-AM	H-182

This bill prohibits a person such as a lobbyist, state employee, executive branch official or member of the public from purposely providing, either in person or through another means, false testimony, either orally, in writing or by other means, to a legislative committee or purposely omitting or concealing a material fact related to testimony provided to a legislative committee. This bill allows any member of a legislative committee to require the chair of that committee to place a person testifying before that committee under oath. A person who purposely provides false testimony to a legislative committee or who omits or conceals a material fact commits a Class E crime. If the person was under oath at the time, the person commits a Class D crime. If the person is a lobbyist or lobbyist associate, the person may be suspended from lobbying before the Legislature for up to two years.

Committee Amendment "A" (H-181)

This amendment is a minority report of the committee. The amendment adds members of the Legislature to the definition of "person," making Legislators subject to the provisions of the bill.

This amendment was not adopted.

Committee Amendment "B" (H-182)

This amendment is a minority report of the committee. The amendment removes the provision of the bill that allows a member of a legislative committee to place a person providing testimony under oath.

LD 876 Resolve, To Increase Pedestrian Crosswalk Safety ONTP

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

This resolve requires a municipality with a residential population of 20,000 or greater to undertake a study to determine the busiest pedestrian crosswalks and vehicular traffic areas in that municipality and to adopt a 10-year plan to address the enhancement of pedestrian crosswalk safety in that municipality through changing physical and lighting conditions.

LD 882 An Act Prohibiting Public Entities from Contracting with and Investing in Companies That Boycott the State of Israel Died Between Houses

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

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This bill prohibits any public entity, including the State and any of its agencies or subdivisions, from boycotting the State of Israel or contracting with or giving a grant to a person that is boycotting the State of Israel and requires all contracts and grants by a state agency or subdivision to certify that the person awarded the contract or grant will not boycott the State of Israel for the duration of the contract or grant. This bill does not apply to a contract if the person supplies the services, supplies or information technology for at least 20% less than the lowest eligible competitor or to a contract or grant with a total potential value of less than \$1,000.

Committee Amendment "A" (S-69)

This amendment is the minority report of the committee. The amendment changes the allocation of the new section to avoid a numbering conflict and incorporates a fiscal note.

This amendment was not adopted.

**LD 890 An Act To Include a Representative of the Aroostook Band of Micmacs CARRIED OVER
in the House of Representatives**

<u>Sponsor(s)</u>	<u>Committee Report</u>	<u>Amendments Adopted</u>
CARPENTER M STEWART H		

This bill makes the statutory changes necessary to include a representative of the Aroostook Band of Micmacs in the Maine House of Representatives beginning with the 129th Legislature. It requires the Tribal Clerk of the Aroostook Band of Micmacs to furnish the outgoing Clerk of the House of Representatives with a certification of the name and residence of the Representative-elect of the Aroostook Band of Micmacs to the Legislature. It also authorizes the Representative of the Aroostook Band of Micmacs to be compensated in the same manner as other members of the House of Representatives. It also provides that the changes do not take effect unless the Aroostook Band of Micmacs approves them and provides certification of that approval to the Secretary of State within 90 days of the adjournment of the First Regular Session of the 128th Legislature.

This bill was carried over to any special or regular session of the 128th Legislature by joint order, H.P. 1138.

**LD 895 An Act To Help Maine Manufacturing Accepted Majority
(ONTP) Report**

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

This bill establishes the Maine Buy America Act and requires that all contracts for the construction, reconstruction, alteration, repair, improvement or maintenance of a public building or public work made by a state agency, board, commission or institution contain a provision that the manufactured goods, including iron and steel, used or supplied in the performance of the contract or any subcontract to the contract must be manufactured in the United States. This requirement does not apply to counties, municipalities or school administrative units.

The bill requires that, in the case of a manufactured good other than an iron or steel product, all of the manufacturing processes take place in the United States and the origin of the manufactured good's components or subcomponents meet a minimum level of domestic content as established by rule.

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Under the Act, a public agency may apply to the Governor or the Governor's designee for a waiver of the requirement if the executive head of the public agency finds that the application of the requirement would be inconsistent with the public interest, that the necessary manufactured goods are not produced in the United States in sufficient and reasonably available quantities and of a satisfactory quality or that inclusion of manufactured goods made in the United States will increase the cost of the overall project contract by more than 25%. The Department of Administrative and Financial Services is directed to develop rules regarding the Act, including rules to guide the waiver process and the process for public review and comment regarding requests for a waiver.

The bill requires that if the Department of Administrative and Financial Services has reason to believe that any person, business or other entity has intentionally made fraudulent representations about the domestic content of a manufactured good or has intentionally violated any provision of the Act, the department must, after a hearing, debar that person, business or other entity from contracts or subcontracts with the State for two years.

The bill provides that the provisions of this legislation must be applied in a manner consistent with the State's obligations under any applicable international agreements pertaining to government procurement.

Committee Amendment "A" (S-143)

This amendment is the minority report. The amendment adds an appropriations and allocations section.

This amendment was not adopted.

LD 899 *Resolve, To Establish the Commission To Study the Salaries of the Governor, Legislators and Executive and Legislative Staff* ONTP

<u>Sponsor(s)</u>	<u>Committee Report</u>	<u>Amendments Adopted</u>
CUSHING A HARVELL L	ONTP	

This resolve establishes the Commission To Study the Salaries of the Governor, Legislators and Executive and Legislative Staff. The commission is charged with studying the salaries of the Governor, Legislators and executive and legislative staff members and making recommendations for any necessary changes. The commission is required to submit a report containing its findings and recommendations to the Second Regular Session of the 128th Legislature by December 6, 2017.

LD 914 *An Act To Establish Indigenous People's Day* Accepted Majority (ONTP) Report

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

This bill establishes the second Monday in October as Indigenous People's Day and changes references in the Maine Revised Statutes to the federally named Columbus Day to Indigenous People's Day for use in the State.

Committee Amendment "A" (H-66)

This amendment is the minority report of the committee. The amendment changes a reference to Indigenous People's Day in the bill so that it is not listed as a national holiday but is still not considered a business day.

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This amendment was not adopted.

LD 956 An Act To Establish the Maine Buy America and Build Maine Act

**Died On
Adjournment**

<u>Sponsor(s)</u>	<u>Committee Report</u>	<u>Amendments Adopted</u>
JACKSON T GIDEON S	OTP-AM OTP-AM	S-171 S-291 SAVIELLO T H-545 SPEAR J

This bill establishes the Maine Buy America and Build Maine Act and requires that all contracts for the construction, reconstruction, alteration, repair, improvement or maintenance of a public building or public work made by a state agency, board, commission or institution contain a provision that the manufactured goods, including iron and steel, used or supplied in the performance of the contract or any subcontract to the contract must be manufactured in the United States. This requirement does not apply to counties, municipalities or school administrative units.

The bill requires that, in the case of a manufactured good other than an iron or steel product, all of the manufacturing processes take place in the United States and the origin of the manufactured good's components or subcomponents meet a minimum level of domestic content as established by rule.

Under the Act, a public agency may apply to the Governor or the Governor's designee for a waiver of the requirement if the executive head of the public agency finds that the application of the requirement would be inconsistent with the public interest, that the necessary manufactured goods are not produced in the United States in sufficient and reasonably available quantities and of a satisfactory quality or that inclusion of manufactured goods made in the United States will increase the cost of the overall project contract by an unreasonable amount. The Department of Administrative and Financial Services is directed to develop rules regarding the Act, including rules to guide the waiver process and the process for public review and comment regarding requests for a waiver.

The bill requires that if the Department of Administrative and Financial Services has reason to believe that any person, business or other entity has intentionally made fraudulent representations about the domestic content of a manufactured good or has intentionally violated any provision of the Act, the department must, after a hearing, debar that person, business or other entity from contracts or subcontracts with the State for two years.

The bill provides that the provisions of this legislation must be applied in a manner consistent with the State's obligations under any applicable international agreements pertaining to government procurement.

The bill also requires that, in the award of a bid for the construction, reconstruction, alteration, repair, improvement or maintenance of a public building or public work or for services to be provided to or on behalf of the State, if two or more bids are submitted that are substantially similar, preference must be given to the bid submitted by an in-state contractor. If the bid submitted by an in-state contractor is higher than the lowest bid submitted by a contractor that is not an in-state contractor, the in-state contractor must be given the opportunity to match the lowest bid submitted.

Committee Amendment "A" (S-171)

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

Committee Amendment "B" (S-172)

This amendment is the minority report of the committee. The amendment strikes the bill and instead requires the use of scoring criteria to evaluate a bid's economic impact on Maine's economy and state revenues for competitively

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bid service contracts expected to exceed \$100,000 in total value and competitively bid printing service contracts expected to exceed \$5,000 in total value. The amendment also provides funding to the Department of Administrative and Financial Services for costs associated with the amendment.

This amendment was not adopted.

Senate Amendment "A" (S-291)

This amendment adds a third way a business can qualify to be an in-state contractor for purposes of the Maine Buy America and Build Maine Act by including a business in which at least 60% of the employees are Maine residents.

House Amendment "A" (H-545)

This amendment includes cement used in the construction, reconstruction, alteration, repair, improvement or maintenance of a public building or public work as a good that must be manufactured in the United States.

LD 972 An Act To Modify the Lincoln County Budget Advisory Committee

**Accepted Majority
(ONTP) Report**

Sponsor(s)

HAWKE S
DOW D

Committee Report

ONTP
OTP-AM

Amendments Adopted

This bill changes the Lincoln County budget procedures in the following ways.

1. Current law requires an interim county budget before a final county budget is approved to be no more than 80% of the amount of the preceding county budget. This bill raises the level of the interim county budget to no more than the full amount of the preceding county budget.
2. Current law requires the Lincoln County Budget Advisory Committee to be comprised of three municipal officers per county commissioner district elected by their respective district caucuses and serving staggered three-year terms. This bill requires that each municipality has the option to have one municipal officer from that municipality selected by the municipality's governing body to serve on the committee for a one-year term.
3. Current law requires the committee to submit budget recommendations to the Lincoln County commissioners, who have the final say on the county budget. This bill gives the committee the authority to submit a budget to the commissioners, who need a unanimous vote to make any changes, and the power to veto any change to the budget by the commissioners by a 2/3 vote of the committee members present.

Committee Amendment "A" (H-78)

This amendment is the minority report of the committee. The amendment makes the following changes to the bill.

1. It provides for three-year terms of the advisory committee voting members, instead of one-year terms as proposed in the bill.
2. It makes the legislative member a nonvoting member, except in the case of a tie vote.
3. It requires a 2/3 vote of the advisory committee membership, rather than 2/3 of members present, to reject a change to the budget made by the county commissioners.

This amendment was not adopted.

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LD 973 An Act To Allow the Waldo County Budget Committee To Appoint Replacement Members

**PUBLIC 78
EMERGENCY**

<u>Sponsor(s)</u>	<u>Committee Report</u>	<u>Amendments Adopted</u>
GILLWAY J THIBODEAU M	OTP	

This bill amends the Waldo County Budget Committee membership provisions by providing that when a vacancy on the committee occurs and the municipality of the vacating member declines to send a replacement, the budget committee may solicit another municipality in the district that does not have a member currently sitting on the committee to fill the vacancy.

Enacted Law Summary

Public Law 2017, chapter 78 amends the Waldo County Budget Committee membership provisions by providing that when a vacancy on the committee occurs and the municipality of the vacating member declines to send a replacement, the budget committee may solicit another municipality in the district that does not have a member currently sitting on the committee to fill the vacancy.

Public Law 2017, chapter 78 was enacted as an emergency measure effective May 21, 2017.

LD 992 An Act To Authorize Moving the Town Line between Baileyville and Baring Plantation

P & S 6

<u>Sponsor(s)</u>	<u>Committee Report</u>	<u>Amendments Adopted</u>
MAKER J TUELL W	OTP-AM	S-26

This bill relocates all portions of Park Road and the Baileyville Commercial Park currently in Baring Plantation into the Town of Baileyville.

Committee Amendment "A" (S-26)

This amendment incorporates a fiscal note.

Enacted Law Summary

Private and Special Law 2017, chapter 6 relocates all portions of Park Road and the Baileyville Commercial Park currently in Baring Plantation into the Town of Baileyville.

LD 1007 RESOLUTION, Proposing an Amendment to the Constitution of Maine To Increase the Lengths of Terms and Decrease the Number of Terms of Members of the Legislature

**Accepted Majority
(ONTP) Report**

<u>Sponsor(s)</u>	<u>Committee Report</u>	<u>Amendments Adopted</u>
SANDERSON D VOLK A	ONTP OTP-AM	

This resolution proposes to amend the Constitution of Maine to increase the length of the terms of State Senators from two years to four years beginning in 2020 and members of the House of Representatives from two years to four years beginning in 2022 and to limit the number of consecutive terms members of the State Senate and the

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House of Representatives may serve from four terms to two terms.

Committee Amendment "A" (H-86)

This amendment is the minority report of the committee. The amendment removes the provision in the resolution that changes apportionment to a 12-year cycle and leaves it at 10 years. The amendment also removes those provisions of the resolution that change references to biennial elections in the Constitution of Maine, as biennial elections will continue.

This amendment was not adopted.

LD 1008 An Act To Establish the Permanent Commission on the Status of Racial and Ethnic Populations Died On Adjournment

<u>Sponsor(s)</u>	<u>Committee Report</u>	<u>Amendments Adopted</u>
TALBOT ROSS R	OTP-AM ONTP	H-254

This bill creates the Permanent Commission on the Status of Racial and Ethnic Populations to promote, carry out and coordinate programs designed to improve opportunities for racial and ethnic populations.

Committee Amendment "A" (H-254)

This amendment is the majority report of the committee. The amendment changes the membership of the Permanent Commission on the Status of Racial and Ethnic Populations, decreasing the total membership from 17 as proposed in the bill to 15 and including Legislators in the membership. The amendment also expands the research duties of the commission to incorporate the study of income levels of and opportunities available to historically disadvantaged racial and ethnic populations in the State and the examination of data regarding business ownership, household assets, debts and income, housing, employment and access to inherited wealth, capital and benefits. It also directs the commission to consider policy proposals to diversify business ownership to include historically disadvantaged racial and ethnic populations in the State and to bridge the gaps in wealth acquisition. The amendment adds an initial report by the commission to the Second Regular Session of the 128th Legislature focusing on the commission's research on income levels and consideration of policy proposals. The amendment also specifies a due date of January 1st for the biennial report proposed in the bill, beginning January 1, 2019. The amendment also adds an appropriations and allocations section to the bill.

LD 1021 Resolve, To Establish the Study Committee To Develop a Disposition Plan for Future Surplus State Property in York County CARRIED OVER

<u>Sponsor(s)</u>	<u>Committee Report</u>	<u>Amendments Adopted</u>
MASTRACCIO A DESCHAMBAULT S	OTP-AM	H-67

This resolve establishes the Study Committee To Develop a Disposition Plan for Future Surplus State Property in York County to study and plan the disposition of the three district courthouses in York County to be vacated when the courts are consolidated into one building in 2021 and of associated surplus state property.

Committee Amendment "A" (H-67)

This amendment makes a technical correction to the resolve. The language "notwithstanding Joint Rule 353" is not necessary and is removed.

This bill was reported out of committee and then carried over to the next special or regular session of the 128th

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Legislature on the Special Study Table by joint order, S.P. 602.

LD 1042 An Act To Amend the Law Regarding Road Associations

Died Between Houses

<u>Sponsor(s)</u>	<u>Committee Report</u>	<u>Amendments Adopted</u>
ESPLING E	OTP-AM	

Under current law, if a road association is formed for the maintenance of a private road, private way or bridge, all owners of land benefitted by that private road, way or bridge are required to pay a share of the costs incurred for the maintenance of that private road, way or bridge. If an owner fails to pay, the owner's share of the costs may be recovered in a civil action, up to a maximum of one-percent of the owner's municipal property valuation. This bill increases the maximum amount of liability to two-percent of the owner's municipal property valuation.

Committee Amendment "A" (H-255)

This amendment replaces the bill. The amendment removes language in current law that limits an individual owner's share of the cost of repairs to a road that are assessed by a road association to one-percent of that owner's municipal property valuation in any calendar year. The bill increases the limit from one-percent to two-percent.

This amendment was not adopted.

LD 1058 An Act To Modernize Ballot Notices for City Elections

Veto Sustained

<u>Sponsor(s)</u>	<u>Committee Report</u>	<u>Amendments Adopted</u>
HAMANN S CHIPMAN B	OTP	

This bill removes the requirement that before a city election the clerk publish a composite specimen ballot containing the names of all the nominees in a newspaper having general circulation in the city. It also removes the requirement that the clerk post multiple copies of the instruction poster and specimen ballot in the voting room outside the guardrail enclosure and instead specifies that at least one of each of these documents be posted.

LD 1068 An Act To Require That State-funded Buildings Be Constructed with Wood Products

CARRIED OVER

<u>Sponsor(s)</u>	<u>Committee Report</u>	<u>Amendments Adopted</u>
CAMPBELL R DAVIS P		

This bill requires a person that engages in the construction or repair of public buildings or works to use wood products, including cross-laminated timber, for structural components to the extent that suitable wood products are feasible for use, competitively priced and permitted under state or local building codes.

This bill was carried over to any special or regular session of the 128th Legislature by joint order, H.P. 1138.

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LD 1082 An Act To Amend the Laws Governing the Granting of a Variance from the Dimensional Standards of a Zoning Ordinance **Accepted Majority (ONTP) Report**

<u>Sponsor(s)</u>	<u>Committee Report</u>	<u>Amendments Adopted</u>
CAMPBELL R CUSHING A	ONTP OTP	

This bill amends the law governing variances from dimensional standards that may be granted by a municipal zoning board of appeals.

LD 1084 An Act To Require That Certain Applicant Information for Certain Local Government and School Administrative Positions Be Public upon Application **Accepted Majority (ONTP) Report**

<u>Sponsor(s)</u>	<u>Committee Report</u>	<u>Amendments Adopted</u>
SPEAR J DESCHAMBAULT S	ONTP OTP-AM	

This bill provides that the names and addresses of applicants for positions as county administrator, city manager, town manager and school superintendent are public records upon application by the applicant.

Committee Amendment "A" (H-149)

This amendment is the minority report of the committee. The amendment provides that for an applicant for the position of county administrator, city manager, town manager or school superintendent, the hiring authority may require public disclosure of the applicant's name and address at a specified point in the application process as a condition of eligibility for the position.

This amendment was not adopted.

LD 1087 An Act To Define When a Municipal Land Use Decision Is Considered Final for Purposes of an Appeal to Superior Court **ONTP**

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

This bill requires, for purposes of appeal to the Superior Court, that to be considered final agency action, a land use matter requiring review of both a municipal planning board and board of appeals must be heard by both the municipal planning board and board of appeals and both boards must issue findings of fact.

LD 1100 An Act To Increase the Salaries of the Governor and Legislators **ONTP**

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

This bill increases the Governor's salary in January of 2019 from \$70,000 per year to \$150,000 per year and

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increases legislative salaries in December of 2018 from \$14,271.35 for the first year of the biennium and \$10,157.52 for the second year of the biennium to \$24,000 for the first year of the biennium and \$17,000 for the second year of the biennium.

LD 1141 An Act To Make Election Day a State Holiday ONTP

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

This bill designates Election Day, the first Tuesday after the first Monday in November, as a state holiday.

LD 1142 An Act To Repeal the Laws Establishing the Cumberland County Recreation Center and To Transfer Authority to Cumberland County PUBLIC 195

<u>Sponsor(s)</u>	<u>Committee Report</u>	<u>Amendments Adopted</u>
CHACE P	OTP-AM ONTP	H-256

This bill repeals Private and Special Law 1971, chapter 86, which established the Cumberland County Recreation Center to establish and operate the Cumberland County Civic Center, now known as the Cross Insurance Arena. The bill transfers the rights and responsibilities of the Center to Cumberland County, exclusively.

Committee Amendment "A" (H-256)

This amendment is the majority report of the committee. The amendment makes the following changes to the bill.

1. It establishes the Board of Trustees of the Cross Insurance Arena in statute.
2. It clarifies that current members of the Board of Trustees of the Cumberland County Recreation Center serve as initial members of the Board of Trustees of the Cross Insurance Arena for the balance of their terms.
3. It specifies that the budget for the Cross Insurance Arena is developed by the board of trustees and presented by the board to the Cumberland County commissioners. It clarifies that budget approval and adoption is the responsibility of the county commissioners and that the county commissioners may increase or decrease the overall budget presented by the trustees but may not otherwise alter or amend the budget.

Enacted Law Summary

Public Law 2017, chapter 195 repeals Private and Special Law 1971, chapter 86, which established the Cumberland County Recreation Center to establish and operate the Cumberland County Civic Center, now known as the Cross Insurance Arena, and transfers the rights and responsibilities of the center to Cumberland County, exclusively. The law establishes the Board of Trustees of the Cross Insurance Arena in statute. It specifies that the budget for the Cross Insurance Arena is developed by the board of trustees and presented by the board to the Cumberland County commissioners for approval and adoption.

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LD 1153 An Act To Establish a Village Corporation

ONTP

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

This bill is a concept draft pursuant to Joint Rule 208.

This bill proposes to authorize the Town of Frye Island to consolidate with another municipality and then establish the territory within the limits of Frye Island as a village corporation within the other municipality.

LD 1191 An Act To Extend to One Year the Probationary Period for Certain Municipal Employee Positions

Veto Sustained

<u>Sponsor(s)</u>	<u>Committee Report</u>	<u>Amendments Adopted</u>
SPEAR J KATZ R	OTP	

This bill increases from six months to one year the period of probation for municipal employees who are exempt from the federal Fair Labor Standards Act of 1938, except for law enforcement officers.

LD 1192 An Act To Require Maine Governmental Departments That Affect Citizen Health and Safety To Staff at Least 75 Percent of Available Positions

Died Between Houses

<u>Sponsor(s)</u>	<u>Committee Report</u>	<u>Amendments Adopted</u>
TEPLER D CHIPMAN B	OTP-AM ONTP	

This bill is a concept draft pursuant to Joint Rule 208.

This bill would require that those departments and agencies of State Government that affect the health and safety of the citizens of the State ensure that at least 75% of the available positions in those departments and agencies are staffed.

Committee Amendment "A" (H-200)

This amendment is the majority report of the committee. The amendment replaces the bill. The amendment requires the Department of Corrections, the Department of Health and Human Services and the Department of Public Safety each to submit a report on authorized staff positions and vacancies on or before September 1st of each even-numbered year. The report must include, but is not limited to, the total number of authorized positions in the department and the number of vacant positions, each measured as of June 30th of the reporting year, and the vacancy rate, calculated as the number of vacant positions divided by the number of authorized positions. If the calculated vacancy rate for the department is equal to or greater than 0.25, the report must include a written justification for the vacancy for each vacant position. Each department is required to submit its report to the joint standing committee of the Legislature having jurisdiction over appropriations and financial affairs and the appropriate joint standing committee of oversight.

This amendment was not adopted.

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LD 1193 An Act To Ensure the Cost-efficiency of Contracting out Services by the State ONTP

<u>Sponsor(s)</u>	<u>Committee Report</u>	<u>Amendments Adopted</u>
WARREN C MIRAMANT D	ONTP	

This bill establishes a process for the review of privatization contracts, which are defined as agreements with a term of no more than five years by which a nongovernmental person or entity agrees to provide services valued at \$200,000 or more, which are substantially similar to and in lieu of services previously provided in whole or in part by state agency employees. Under this process, the State Auditor is given 30 days from the date that the agency designates the bidder to which it proposes to award the privatization contract to object to, and thereby invalidate, the proposed contract for failure to comply with statutory requirements. The State Auditor is also authorized to seek a review by the Office of Program Evaluation and Government Accountability of any privatization contract.

LD 1213 An Act To Protect Taxpayers in the Privatization of State Services Died Between Houses

<u>Sponsor(s)</u>	<u>Committee Report</u>	<u>Amendments Adopted</u>
BELLOWS S BLUME L	OTP-AM ONTP	

This bill creates a process by which a state agency can enter a privatization contract with a nongovernmental entity to perform basic agency services for up to five years if a number of criteria are met, including:

1. Wages and benefits for employees of the contractor are comparable to state employees performing the same services;
2. The contractor endeavors to hire agency employees terminated due to the privatization;
3. The agency provides an estimate of its costs in providing the subject services in the most efficient manner;
4. The agency provides support and resources to allow agency employees to submit a competing bid to provide the privatized services;
5. The agency considers as a contract cost any income tax revenue lost to the State as a result of services to be performed out of state under the contract; and
6. A review by the State Auditor to determine that all of the requirements of the bidding and privatization contract have been met.

Committee Amendment "A" (S-289)

This amendment is the majority report of the committee. The amendment requires the Attorney General, rather than the State Auditor, to conduct the review of privatization contracts specified in the bill. The amendment identifies the rules authorized to be adopted as routine technical rules.

This amendment was not adopted.

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LD 1257 An Act To Minimize Hardship by Prohibiting the State from Reducing the Wages of a State Employee To Recoup Payments the State Made in Error

Accepted Majority (ONTP) Report

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

This bill provides that, if the State, in its capacity as an employer, overcompensates an employee as a result of the State's error, the State may not recover the overpayment of wages by deducting or withholding amounts from that employee's subsequent wages.

Committee Amendment "A" (S-222)

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

This amendment was not adopted.

LD 1269 An Act To Adjust the Procedure for Recounts in Certain Municipal Elections

PUBLIC 191

<u>Sponsor(s)</u>	<u>Committee Report</u>	<u>Amendments Adopted</u>
PARRY W	OTP-AM	H-243

This bill changes the deadline for requesting a recount in a municipal, local school or local referendum election to 10 business days after the election. It also provides that in a municipality that counts all ballots by hand, a recount is automatically triggered in a municipal, local school or local referendum election if the total vote difference is 10 votes or fewer.

Committee Amendment "A" (H-243)

This amendment replaces the bill. The amendment:

1. Requires a written request for a recount for an election for municipal office to go to the municipal clerk, not the Secretary of State as in the bill, and requires the request for a recount to be filed within seven business days; and
2. Provides that a referendum recount in a municipality must be granted upon written application of 10% or 100, whichever is less, of registered voters in a municipality. Current law requires the application to be made by 10% or 100, whichever is less, of persons whose names were checked off at the referendum election.

Enacted Law Summary

Public Law 2017, chapter 191 amends the law governing municipal election recounts. It requires a written request for a recount for an election for municipal office to go to the municipal clerk and requires the request for a recount to be filed within seven business days. This law also provides that a referendum recount in a municipality must be granted upon written application of 10% or 100, whichever is less, of registered voters in a municipality.

Joint Standing Committee on State and Local Government

LD 1295 An Act To Create the Procurement Review Board

**Died Between
Houses**

Sponsor(s)

LIBBY N

Committee Report

OTP-AM
ONTP

Amendments Adopted

This bill establishes the Procurement Review Board, which is required to review and approve or disapprove all requests for proposals, bids, contract renewals, amendments, extensions or other changes to an existing contract for the State's procurement of supplies, professional or artistic services, construction and real property and capital improvement leases valued at \$1,000,000 or more. The board by majority vote may review procurements valued at less than \$1,000,000.

Committee Amendment "A" (S-274)

This amendment is the majority report of the committee. The amendment replaces the bill. The amendment establishes the Sole-source Procurement Review Board, which is required to review and approve or disapprove all sole-source contracts and contract renewals, amendments, extensions or other changes to an existing sole-source contract for the procurement of supplies or services, including but not limited to professional, artistic and construction services, and for real property and capital improvement leases procured by the State. The amendment also adds an appropriations and allocations section.

This amendment was not adopted.

**LD 1309 Resolve, To Establish the Commission To Study Business Ownership by
Racial and Ethnic Populations and the Wealth Gap in the State**

ONTP

Sponsor(s)

TALBOT ROSS R
SAVIELLO T

Committee Report

ONTP

Amendments Adopted

This resolve establishes the Commission To Study Business Ownership by Racial and Ethnic Populations and the Wealth Gap in the State.

**LD 1345 An Act To Provide Alternative Repayment Methods to Employees
Overcompensated through an Employer Error**

CARRIED OVER

Sponsor(s)

DOORE D
DAVIS P

Committee Report

Amendments Adopted

This bill is a concept draft pursuant to Joint Rule 208.

This bill proposes to establish an alternative method for an employee to pay back an employer for overcompensation of the employee due to the employer's error that is less of a hardship on the employee than the present requirements of law, which allow an employer to deduct up to 10% of an employee's wages to pay back the overcompensation of the employee.

This bill was carried over to any special or regular session of the 128th Legislature by joint order, H.P. 1138.

Joint Standing Committee on State and Local Government

LD 1346 An Act To Clarify Access to Landlocked Ancient and Family Burying Grounds and To Clarify the Definition of Ancient Burying Ground

**Accepted Majority
(ONTP) Report**

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

This bill amends the law governing family burying grounds and ancient burying grounds in the following ways.

1. It amends the definition of "ancient burying ground."
2. It provides that a municipality or its caretaker may access an ancient burying ground surrounded by privately owned land annually or as determined necessary by the municipality or its designated caretaker.
3. It provides that a person who owns land that surrounds an ancient burying ground or a family burying ground must provide a descendant or other relative of a person buried in the burying ground, or a designated agent of the descendant or other relative, access to the burying ground for the purposes of protecting and preserving it.
4. If property surrounding a burying ground is conveyed causing the burying ground to be inaccessible from a public way, the bill provides that the conveyance is made subject to an easement for the benefit of the spouse, ancestors, descendants and other relatives or the designated agent of the spouse, ancestors, descendants and other relatives of any person interred in the burying ground. It also requires that the owner of the property surrounding the family burying ground designate the direct route a person must use to access the family burying ground and is not liable for injuries sustained by a person accessing the family burying ground.

Committee Amendment "A" (H-201)

This amendment is the minority report of the committee. The amendment requires owners of land surrounding ancient or family burying grounds to file a notarized listing of obstructions with the county registry of deeds rather than the municipal clerk as in the bill.

This amendment was not adopted.

LD 1361 An Act Regarding State Hiring and Retention for Persons with Disabilities

PUBLIC 261

<u>Sponsor(s)</u>	<u>Committee Report</u>	<u>Amendments Adopted</u>
VOLK A HERBIG E	OTP	

This bill creates a preference in state hiring for persons with disabilities. This bill requires the employing agency to offer an interview to a person with a disability who is eligible for the Ticket to Work and Self-Sufficiency Program under the federal Social Security Act and who meets the minimum qualifications for the position and to a person who has been determined by a qualified professional to have a disability and who meets the minimum qualifications for the position. If the person is not selected for the position, the bill requires the Department of Administrative and Financial Services, Bureau of Human Resources provide guidance to the person regarding other available state positions, including opportunities in the bureau's special appointment program for which the person might qualify. It also authorizes, but does not require, the bureau to refer the person to the Department of Labor, Bureau of Rehabilitation Services for vocational rehabilitation services. The bill provides that in any reduction in personnel in the state service, employees who are eligible for the Ticket to Work and Self-Sufficiency Program or who are

Joint Standing Committee on State and Local Government

persons with disabilities must be retained in preference to all other competing employees in the same classification with equal seniority, status and performance reviews. It also provides that a person with a disability or who is eligible for Ticket to Work program has the right not to disclose their disability at the time of hire but may not assert a right to a retention preference at a later date.

Enacted Law Summary

Public Law 2017, chapter 261 creates a preference in state hiring for persons with disabilities. The law requires the employing state agency to offer an interview to a person with a disability who is eligible for the Ticket to Work and Self-Sufficiency Program under the federal Social Security Act and who meets the minimum qualifications for the position and to a person who has been determined by a qualified professional to have a disability and who meets the minimum qualifications for the position. If the person is not selected for the position, the law requires the Department of Administrative and Financial Services, Bureau of Human Resources provide guidance to the person regarding other available state positions, including opportunities in the bureau's special appointment program for which the person might qualify. It also authorizes, but does not require, the bureau to refer the person to the Department of Labor, Bureau of Rehabilitation Services for vocational rehabilitation services. The law provides that in any reduction in personnel in the state service, employees who are eligible for the Ticket to Work and Self-Sufficiency Program or who are persons with disabilities must be retained in preference to all other competing employees in the same classification with equal seniority, status and performance reviews. It also provides that a person with a disability or who is eligible for Ticket to Work program has the right not to disclose their disability at the time of hire but may not assert a right to a retention preference at a later date.

LD 1381 An Act To Clarify Appeals of Municipal Land Use Decisions

PUBLIC 241

<u>Sponsor(s)</u>	<u>Committee Report</u>	<u>Amendments Adopted</u>
MONAGHAN K	OTP-AM	H-358

This bill amends the laws regarding municipal boards of appeal and regarding appeals of municipal land use decisions to reflect the holding of the Law Court in "Susan E. Bryant v. Town of Camden et al.," which relates to when a local land use decision is ripe for appeal. It provides that a final decision occurs when an application has received all required municipal administrative approvals by a municipality's board of appeals, planning board or municipal review authority, a site plan or design review board, a historic preservation review board and any other review board created by municipal charter or ordinance and that an appeal to the Superior Court may not be made until a final decision occurs.

Committee Amendment "A" (H-358)

This amendment makes a number of technical, clarifying edits to the bill. The amendment retains all substantive provisions of the bill that provide that a local land use decision is a final decision when an application has received all required municipal administrative approvals by a municipal board of appeals, a planning board or municipal reviewing authority, a site plan or design review board, a historic preservation review board and any other review board created by municipal charter or ordinance and that an appeal to the Superior Court may not be made until a final decision occurs.

Enacted Law Summary

Public Law 2017, chapter 241 provides that a local land use decision is a final decision when an application has received all required municipal administrative approvals by a municipal board of appeals, a planning board or municipal reviewing authority, a site plan or design review board, a historic preservation review board and any other review board created by municipal charter or ordinance and that an appeal to the Superior Court may not be made until a final decision occurs.

Joint Standing Committee on State and Local Government

LD 1382 An Act To Require Responsible Contracting on Public Construction Projects

Died Between Houses

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

The purpose of this bill is to ensure that the work on public construction and maintenance contracts is performed by responsible, qualified firms that maintain the capacity, expertise, personnel and other qualifications and resources necessary to successfully perform public contracts in a timely, reliable and cost-effective manner. This bill establishes responsible contractor requirements for publicly funded construction projects that receive state funds in excess of \$50,000 or other financial assistance from the State with a value in excess of \$50,000. The bill outlines a responsible contractor certification process to be administered by the Department of Administrative and Financial Services, Bureau of General Services.

Committee Amendment "A" (H-450)

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

This amendment was not adopted.

LD 1456 An Act To Return the Duties of the State Compensation Commission To Make Recommendations for the Salaries of the Governor and Judges

PUBLIC 242

<u>Sponsor(s)</u>	<u>Committee Report</u>	<u>Amendments Adopted</u>
MARTIN J	OTP-AM	H-359

This bill amends the provisions of law regarding the State Compensation Commission, which makes recommendations for compensation for legislators and constitutional officers. The bill makes the following changes to the State Compensation Commission:

1. It amends the membership of the commission;
2. It changes report dates; and
3. Expands the scope of the commission to include making recommendations for compensation of the Governor, justices and judges, the Secretary and Assistant Secretary of the Senate and the Clerk and Assistant Clerk of the House of Representatives.

The bill also repeals the Judicial Compensation Commission.

Committee Amendment "A" (H-359)

This amendment does the following:

1. It specifies that no current or former Legislators or legislative staff may be appointed to the State Compensation Commission;
2. It clarifies that the work of the commission does not prevent the Chief Justice and other judicial staff from making recommendations regarding judicial compensation; and

Joint Standing Committee on State and Local Government

3. It removes from the duties of the commission making recommendations for compensation of the Attorney General, Secretary of State, Treasurer of State and State Auditor.

Enacted Law Summary

Public Law 2017, chapter 242 amends the provisions of law regarding the State Compensation Commission. The law makes the following changes to the State Compensation Commission:

- 1. It specifies that members of the commission be appointed in January of every odd-numbered year;
- 2. It provides that commission members appointed by the President of the Senate and the Speaker of the House, respectively, may be from the same political party;
- 3. It prohibits any current or former Legislators or legislative staff from being appointed to the commission;
- 4. It amends the reporting requirements to provide for two interim reports and one final report during for each two-year period;
- 5. It removes from the duties of the commission making recommendations for compensation of the Attorney General, Secretary of State, Treasurer of State and State Auditor; and
- 6. It adds to the duties of the commission making recommendations for compensation of the Governor, justices and judges, the Secretary and Assistant Secretary of the Senate and the Clerk and Assistant Clerk of the House of Representatives.

The law repeals the Judicial Compensation Commission.

LD 1459 An Act To Protect the Public from Dangerous Buildings

PUBLIC 136

<u>Sponsor(s)</u>	<u>Committee Report</u>	<u>Amendments Adopted</u>
LIBBY N SHEATS B	OTP-AM	S-97

This bill amends the law governing dangerous buildings to provide an option under which the municipal officers or county commissioners may delay the disposal of a dangerous building if the owner or party in interest has demonstrated ability and willingness to satisfactorily rehabilitate the building. The bill clarifies the language in current law regarding recovery of expenses related to an order prescribing disposal of a dangerous building.

Committee Amendment "A" (S-97)

This amendment makes two clarifying changes to the language in the bill. It adds a cross-reference that was missing from the bill as drafted, and it clarifies that expenses incurred by a municipality or county must be repaid by the owner.

Enacted Law Summary

Public Law 2017, chapter 136 amends the law governing dangerous buildings to provide an option under which the municipal officers or county commissioners may delay the disposal of a dangerous building if the owner or party in interest has demonstrated ability and willingness to satisfactorily rehabilitate the building. The law also clarifies language regarding recovery of expenses related to an order prescribing disposal of a dangerous building. It specifies that expenses incurred by a municipality or county must be repaid by the owner.

Joint Standing Committee on State and Local Government

LD 1484 An Act Authorizing the Deorganization of the Town of Atkinson

CARRIED OVER

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

This bill provides for the deorganization of the Town of Atkinson in Piscataquis County subject to approval at local referendum and execution of a withdrawal agreement from School Administrative District No. 41, also known as Regional School Unit No. 41. It also provides that townships deorganized on or after July 1, 2019 continue to receive school subsidies through general purpose aid to local schools, subject to approval at local referendum.

This bill was carried over to any special or regular session of the 128th Legislature by Joint Order H.P. 1138.

LD 1498 An Act To Clarify the Applicability of the Records Preservation Surcharge within County Registries of Deeds

PUBLIC 116

<u>Sponsor(s)</u>	<u>Committee Report</u>	<u>Amendments Adopted</u>
FECTEAU R	OTP-AM	H-244

This bill clarifies that quasi-independent agencies are included as agencies not subject to the records preservation surcharge imposed by various county registries of deeds.

Committee Amendment "A" (H-244)

This amendment provides a clarifying cross-reference to the definition of "quasi-independent state entity."

Enacted Law Summary

Public Law 2017, chapter 116 clarifies that quasi-independent state entities are included as agencies of State Government for the purpose of being exempt from the records preservation surcharge imposed by various county registries of deeds.

LD 1505 An Act To Create Consistency in the Regulation of Pesticides

ONTP

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

This bill prohibits a municipality from adopting or continuing to enforce any ordinance or rule regarding the sale or use of pesticides.

LD 1535 An Act To Modernize the State's Procurement Laws

Accepted Majority (ONTP) Report

<u>Sponsor(s)</u>	<u>Committee Report</u>	<u>Amendments Adopted</u>
PICKETT R DAVIS P	ONTP OTP-AM	

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This bill changes, from State Purchasing Agent to Chief Procurement Officer, the title of the position responsible for administering the procurement process for the State. The bill also makes several changes to the laws governing the procurement process as follows:

1. It authorizes the Chief Procurement Officer to enter into multistate agreements and requests for proposals and bids for goods and services;
2. It authorizes the Chief Procurement Officer, with the approval of the Commissioner of Administrative and Financial Services, to adopt rules to provide a process under which a department or agency that purchases goods or services contrary to the State's procurement laws may have funding removed from that department or agency's budget; and
3. It provides that costs for an unsuccessful appeal of a contract or grant award decision must be borne by the person requesting the appeal.

Committee Amendment "A" (H-502)

This amendment is the minority report of the committee. The amendment removes the provision in the bill that provides that costs for an unsuccessful appeal of a contract or grant award decision must be borne by the person requesting the appeal.

This amendment was not adopted.

LD 1558 An Act To Require That Municipalities and Counties Recover the Cost of Opioid Antagonist Treatment from Repeat Recipients

Accepted Majority (ONTP) Report

Sponsor(s)
HEAD F
CYRWAY S

Committee Report
ONTP
OTP-AM

Amendments Adopted

This bill requires municipalities, counties and their agents, including contracted first responders, to recoup the cost of administering naloxone hydrochloride and other opioid antagonists from individuals to whom they administer those medications a second or subsequent time.

Committee Amendment "A" (H-360)

This amendment is the minority report of the committee. The amendment removes the requirement in the bill that a municipality or county or agent of either make all reasonable efforts to identify whether an individual has previously been administered an opioid antagonist and to recover the cost from the individual if it is a second or subsequent treatment. The amendment, instead, authorizes a municipality, county or agent to make efforts to identify if the individual has had prior treatment with an opioid antagonist, and it authorizes the municipality or county to make efforts to recover from the individual's health insurance provider the cost of the dose administered if it is a second or subsequent treatment. The amendment removes the provision in the bill that imposes a \$1,000 fine on a municipality or county that does not meet the bill's requirements.

This amendment was not adopted.

Joint Standing Committee on State and Local Government

LD 1567 An Act To Amend the Archives and Records Management Law

Veto Sustained

<u>Sponsor(s)</u>	<u>Committee Report</u>	<u>Amendments Adopted</u>
KATZ R PIERCE J	OTP-AM OTP-AM	S-285

This bill makes the following changes to the archives and records management laws:

1. Adds language to specify that it is the policy of the State to ensure that nonpermanent records are preserved for the time required by an approved records retention schedule;
2. Adds language to include the advice from the Archives Advisory Board in the State Archivist's consideration of what constitutes an archival record, to change the definition of state agency or agency to include all government agencies that transmit records to the Maine State Archives and to change the definition of electronic records;
3. Adds language to specify the second organizational unit within the Maine State Archives is records management and adds language to the Maine Revised Statutes, Title 5, section 94 that was stricken from Title 5, section 95 regarding powers and duties of the State Archivist;
4. Changes the laws governing the State Archivist to reflect the two organizational units of the Maine State Archives: archives services and records management. It adds language to strengthen the records management practices for all state and local government agencies by using four criteria in the development of a guiding records retention schedule: administrative use, legal requirements, fiscal and audit requirements and historical and research value;
5. Specifies when local government records may be destroyed;
6. Repeals and replaces the laws governing the Archives Advisory Board to change the expertise required of members, to provide that members are appointed by the Secretary of State, rather than the Governor, and to provide three-year terms for members; and
7. Removes the requirement that the Maine Historical Records Advisory Board report to the joint standing committee of the Legislature having jurisdiction over education and cultural affairs but retains the requirement that the board report to the joint standing committee of the Legislature having jurisdiction over state and local government matters, which is the committee of oversight for the Maine State Archives. It also removes a reference to funding a full-time position that was eliminated in Public Law 2015, chapter 480.

Committee Amendment "A" (S-285)

This amendment is the majority report of the committee. The amendment removes the University of Maine System, the Maine Community College System and the Maine Maritime Academy from the definition of "state agency" for purposes of the Archives and Records Management Law.

Committee Amendment "B" (S-286)

This amendment is the minority report of the committee. This amendment removes the University of Maine System, the Maine Community College System and the Maine Maritime Academy from the definition of "state agency" proposed in the bill. This amendment also changes the appointing authority for the Archives Advisory Board to the Governor, rather than the Secretary of State as proposed in the bill.

This amendment was not adopted.

Joint Standing Committee on State and Local Government

**LD 1573 An Act To Encourage Development in the Logging Industry by
Requiring State and Local Government Agencies To Give Preference to
Timber Harvested in the State**

Veto Sustained

<u>Sponsor(s)</u>	<u>Committee Report</u>	<u>Amendments Adopted</u>
JACKSON T	OTP-AM	S-269
MARTIN J	ONTP	S-315 JACKSON T

This bill requires that a state agency that contracts for or acquires lumber or other solid wood products give preference to lumber and solid wood products that are harvested in the State by in-state contractors, as long as the price, fitness and quality of the lumber or solid wood products are equal to that of lumber and solid wood products harvested outside the State. Under the bill, "state agency" includes departments and agencies of state, county and municipal government.

The bill also requires that if the State provides a subsidy to a person who purchases lumber or other solid wood products, the person must give preference to lumber and solid wood products harvested in the State by in-state contractors, as long as the price, fitness and quality of the lumber or solid wood products are equal to that of lumber and solid wood products harvested outside the State.

Committee Amendment "A" (S-269)

This amendment is the majority report of the committee. The amendment changes certain terminology and definitions in the bill to clarify the types of wood to which the provisions of the bill apply. The amendment replaces the terms "lumber" and "solid wood products" in the bill with the term "timber," which is further defined as "roundwood," meaning logs, bolts and other round sections of wood, and "residue," meaning by-products of a processed log. The amendment also adds a reference to state contracts for timber harvesting.

Senate Amendment "C" To Committee Amendment "A" (S-315)

This amendment removes the requirement that a person who receives a subsidy from the State and who purchases timber give preference to timber harvested by an in-state contractor. Instead this amendment requires a landowner who receives a subsidy from the State and who sells timber harvested from the landowner's land in this State to use an in-state contractor or a contractor from New Hampshire for the harvesting and transportation of that timber, as long as the price and quality of the work performed by that in-state contractor or contractor from New Hampshire is equal to the price and quality of work performed by a contractor from another state. It also provides that a landowner subject to the requirement to use an in-state contractor or contractor from New Hampshire to harvest and transport timber as the result of a subsidy provided under the Maine Tree Growth Tax Law may withdraw that landowner's land from taxation under the Maine Tree Growth Tax Law without penalty.

LD 1588 An Act To Maintain Mail Routes and Access to Residential Structures

CARRIED OVER

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

This bill prohibits a municipality from discontinuing a road on which there is a residential structure that depends upon the road for its sole access and requires the municipality to plow snow from that road and keep it passable. The bill allows for the rebuttal of the presumption of abandonment of a public way if there is a residential structure that depends on the way for its sole access. The bill requires municipalities to maintain mail routes in accordance with United States Postal Service regulations.

Joint Standing Committee on State and Local Government

This bill was carried over to any special or regular session of the 128th Legislature by joint order, H.P. 1138.

LD 1604 Resolve, To Amend Authorization To Sell Certain Property in Augusta CARRIED OVER

<u>Sponsor(s)</u>	<u>Committee Report</u>	<u>Amendments Adopted</u>
POULIOT M KATZ R		

Resolve 2013, chapter 98 authorized the State to sell property located in Augusta to a nonprofit organization to be used exclusively for transitional housing for veterans. This resolve removes that restriction on the exclusive use of the property.

This bill was carried over to any special or regular session of the 128th Legislature by joint order, H.P. 1138.

LD 1608 An Act To Support Employment Opportunity in Maine Veto Sustained

<u>Sponsor(s)</u>	<u>Committee Report</u>	<u>Amendments Adopted</u>
PARKER J CARSON B	OTP-AM ONTP	H-461

This bill prohibits the State from seeking to obtain or inquiring about the credit history of a prospective employee or requiring that a prospective employee provide a credit history as a condition of employment.

Committee Amendment "A" (H-461)

This amendment is the majority report of the committee. The amendment provides three exceptions from the provision in the bill that prohibits the State from seeking to obtain or inquire about the credit history of a prospective employee or require that a prospective employee provide a credit history as a condition of employment when: the position involves a fiduciary responsibility to the State, the position is a law enforcement position or the State is otherwise required by federal law to obtain a credit history. The amendment also clarifies the definition of state employment to include employment in the legislative, executive or judicial branch of State Government but not include employment in other governmental or quasi-governmental entities.

LD 1622 An Act To Allow the Androscoggin County Commissioners To Establish Reasonable Office Hours for County Offices PUBLIC 212

<u>Sponsor(s)</u>	<u>Committee Report</u>	<u>Amendments Adopted</u>
LIBBY N	OTP	

Current law specifies the office hours of the county offices of Androscoggin County. This bill repeals that provision of law, allowing the county commissioners of Androscoggin County to establish reasonable office hours in the same manner as do all other county commissioners.

Enacted Law Summary

Public Law 2017, chapter 212 allows the county commissioners of Androscoggin County to establish reasonable office hours in the same manner as do all other county commissioners.

Joint Standing Committee on State and Local Government

LD 1630 An Act To Improve the Effectiveness of Notices Required by State Law

**Died Between
Houses**

Sponsor(s)

BRAKEY E

Committee Report

ONTP
OTP-AM

Amendments Adopted

This bill amends the law regarding legal notices to prohibit, beginning July 1, 2018, any requirement that a legal notice must be published in a newspaper and to require, beginning on that date, a legal notice to be posted on a publicly accessible website maintained by the Department of Administrative and Financial Services.

Committee Amendment "A" (S-275)

This amendment is the minority report of the committee. The amendment requires the State Budget Officer to calculate the savings from not having legal notices published in a newspaper and deappropriate funds accordingly. It adds an appropriations and allocations section to the bill to reflect savings to the State from no longer requiring legal notices to be published in a newspaper.

This amendment was not adopted.

Joint Standing Committee on State and Local Government

SUBJECT INDEX

County Government - Budget

Enacted

LD 973	An Act To Allow the Waldo County Budget Committee To Appoint Replacement Members	PUBLIC 78 EMERGENC Y
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Not Enacted

LD 972	An Act To Modify the Lincoln County Budget Advisory Committee	Majority (ONTP) Report
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County Government - General

Enacted

LD 1142	An Act To Repeal the Laws Establishing the Cumberland County Recreation Center and To Transfer Authority to Cumberland County	PUBLIC 195
LD 1498	An Act To Clarify the Applicability of the Records Preservation Surcharge within County Registries of Deeds	PUBLIC 116
LD 1622	An Act To Allow the Androscoggin County Commissioners To Establish Reasonable Office Hours for County Offices	PUBLIC 212

Not Enacted

LD 303	An Act To Change the Name of Captain Ambrose Bear Stream	INDEF PP
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Local Government - General

Enacted

LD 24	An Act To Change the Name of Township 17, Range 4, WELS, in the Unorganized Territory to Sinclair	P & S 2 EMERGENC Y
LD 150	An Act Regarding the Funding of Volunteer Fire Departments	PUBLIC 33
LD 1269	An Act To Adjust the Procedure for Recounts in Certain Municipal Elections	PUBLIC 191

Not Enacted

LD 15	An Act Concerning the Property Tax Levy Limit	Died Between Houses
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LD 328	An Act To Encourage Regional Planning and Reorganization	CARRIED OVER
LD 1058	An Act To Modernize Ballot Notices for City Elections	Veto Sustained
LD 1558	An Act To Require That Municipalities and Counties Recover the Cost of Opioid Antagonist Treatment from Repeat Recipients	Majority (ONTP) Report

Local Government - Land Use and Access

Enacted

LD 1381	An Act To Clarify Appeals of Municipal Land Use Decisions	PUBLIC 241
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Not Enacted

LD 1082	An Act To Amend the Laws Governing the Granting of a Variance from the Dimensional Standards of a Zoning Ordinance	Majority (ONTP) Report
LD 1087	An Act To Define When a Municipal Land Use Decision Is Considered Final for Purposes of an Appeal to Superior Court	ONTP
LD 1346	An Act To Clarify Access to Landlocked Ancient and Family Burying Grounds and To Clarify the Definition of Ancient Burying Ground	Majority (ONTP) Report

Local Government - Organization and Secession

Not Enacted

LD 618	Resolve, Authorizing the Mount Hunger Area of the Town of Gray To Proceed with the Secession Process	Majority (ONTP) Report
LD 619	Resolve, Authorizing the Area of the West Side of Little Sebago Lake of the Town of Gray To Proceed with the Secession Process	Majority (ONTP) Report
LD 780	An Act Authorizing the Deorganization of Cary Plantation	CARRIED OVER
LD 830	An Act To Authorize Portions of the City of Caribou to Secede and Form the Town of Lyndon	ONTP
LD 1153	An Act To Establish a Village Corporation	ONTP
LD 1484	An Act Authorizing the Deorganization of the Town of Atkinson	CARRIED OVER

Local Government - Planning and Regulation

Enacted

LD 3	An Act To Grant Plantations the Power To Control Consumer Fireworks	PUBLIC 3 EMERGENC Y
LD 725	An Act To Recognize Local Control Regarding Food Systems	PUBLIC 215
LD 1459	An Act To Protect the Public from Dangerous Buildings	PUBLIC 136

Not Enacted

LD 540	An Act To Help Municipalities Prepare for Sea Level Rise	Veto Sustained
LD 876	Resolve, To Increase Pedestrian Crosswalk Safety	ONTP
LD 1505	An Act To Create Consistency in the Regulation of Pesticides	ONTP

Local Government - Roads

Enacted

LD 992	An Act To Authorize Moving the Town Line between Baileyville and Baring Plantation	P & S 6
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Not Enacted

LD 45	Resolve, Concerning the Ownership of a Causeway on Long Lake near St. Agatha	Veto Sustained
LD 234	An Act To Clarify the Status of a Certain Section of the Pelletier Road in the Town of Frenchville as a Town Way	Leave to Withdraw Pursuant to Joint Rule 310
LD 1042	An Act To Amend the Law Regarding Road Associations	Died Between Houses
LD 1588	An Act To Maintain Mail Routes and Access to Residential Structures	CARRIED OVER

Public Employment - Compensation

Enacted

LD 1456	An Act To Return the Duties of the State Compensation Commission To Make Recommendations for the Salaries of the Governor and Judges	PUBLIC 242
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Not Enacted

LD 69	An Act To Increase the Salary of the Governor	ONTP
LD 899	Resolve, To Establish the Commission To Study the Salaries of the Governor, Legislators and Executive and Legislative Staff	ONTP
LD 1100	An Act To Increase the Salaries of the Governor and Legislators	ONTP
LD 1257	An Act To Minimize Hardship by Prohibiting the State from Reducing the Wages of a State Employee To Recoup Payments the State Made in Error	Majority (ONTP) Report
LD 1345	An Act To Provide Alternative Repayment Methods to Employees Overcompensated through an Employer Error	CARRIED OVER

Public Employment - Hiring

Enacted

LD 1361	An Act Regarding State Hiring and Retention for Persons with Disabilities	PUBLIC 261
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Not Enacted

LD 288	An Act To Limit Questions Regarding Criminal History on State Employment Applications	CARRIED OVER
LD 497	An Act To Require That Candidates for the Office of County Sheriff Who Meet the Basic Corrections Training Standards Have Corrections Supervisory Experience	Died Between Houses
LD 1084	An Act To Require That Certain Applicant Information for Certain Local Government and School Administrative Positions Be Public upon Application	Majority (ONTP) Report
LD 1191	An Act To Extend to One Year the Probationary Period for Certain Municipal Employee Positions	Veto Sustained
LD 1608	An Act To Support Employment Opportunity in Maine	Veto Sustained

Public Purchasing and Contracting

Not Enacted

LD 93	An Act To Reduce Fuel Costs to State and Local Government	ONTP
LD 473	An Act To Quantitatively Evaluate State Contracts	CARRIED OVER
LD 740	An Act To Promote Efficiency and Accountability to Taxpayers in Personal Services Contracting	Died Between Houses
LD 882	An Act Prohibiting Public Entities from Contracting with and Investing in Companies That Boycott the State of Israel	Died Between Houses
LD 895	An Act To Help Maine Manufacturing	Majority (ONTP) Report
LD 956	An Act To Establish the Maine Buy America and Build Maine Act	Died On Adjournment
LD 1068	An Act To Require That State-funded Buildings Be Constructed with Wood Products	CARRIED OVER
LD 1193	An Act To Ensure the Cost-efficiency of Contracting out Services by the State	ONTP
LD 1213	An Act To Protect Taxpayers in the Privatization of State Services	Died Between Houses
LD 1295	An Act To Create the Procurement Review Board	Died Between Houses
LD 1382	An Act To Require Responsible Contracting on Public Construction Projects	Died Between Houses
LD 1535	An Act To Modernize the State's Procurement Laws	Majority (ONTP) Report
LD 1573	An Act To Encourage Development in the Logging Industry by Requiring State and Local Government Agencies To Give Preference to Timber Harvested in the State	Veto Sustained

State Government - Agencies

Enacted

LD 491 An Act To Extend the Allowed Time for the Interchange of Educators between School Administrative Units and the Department of Education PUBLIC 279

Not Enacted

LD 105 An Act To Create a Centralized Authority To Combat Opiate Addiction in Maine CARRIED OVER

LD 379 An Act To Provide Stability and Continuity in the Department of Education Died Between Houses

LD 823 An Act To Promote Transparency with Respect to Surveillance Technology CARRIED OVER

LD 1192 An Act To Require Maine Governmental Departments That Affect Citizen Health and Safety To Staff at Least 75 Percent of Available Positions Died Between Houses

State Government - General

Enacted

LD 329 An Act Concerning the Law Governing the Posting of Newspaper Legal Notices and the Statewide Repository for Legal Notices PUBLIC 19

LD 849 An Act To Require the State To Maintain an Interest-bearing Account of Privately Donated Funds for Saxl Park in the City of Bangor P & S 8

Not Enacted

LD 71 Resolve, Directing the Secretary of State To Request That the United States Secretary of Transportation Place Maine in the Atlantic Standard Time Zone ONTP

LD 203 An Act To Opt Out of Federal Daylight Saving Time and To Ask the United States Secretary of Transportation To Place the State in the Atlantic Time Zone Died Between Houses

LD 1008 An Act To Establish the Permanent Commission on the Status of Racial and Ethnic Populations Died On Adjournment

LD 1309 Resolve, To Establish the Commission To Study Business Ownership by Racial and Ethnic Populations and the Wealth Gap in the State ONTP

LD 1567 An Act To Amend the Archives and Records Management Law Veto Sustained

LD 1630 An Act To Improve the Effectiveness of Notices Required by State Law Died Between Houses

State Government - Holidays and Designations

Enacted

LD 432 An Act To Designate a Maine Community Litter Cleanup Day PUBLIC 41

Not Enacted

LD 402	An Act To Establish Maine Buy Local Month	Died Between Houses
LD 914	An Act To Establish Indigenous People's Day	Majority (ONTP) Report
LD 1141	An Act To Make Election Day a State Holiday	ONTP

State Government - Legislature

Not Enacted

LD 23	An Act To Provide for Legislative Review of Federally Mandated Major Substantive Rules under the Maine Administrative Procedure Act	Veto Sustained
LD 25	An Act To Remove the Legislative Council from the Capitol Area Development Approval Process	Died Between Houses
LD 152	An Act To Strengthen Intragovernment Communication	Veto Sustained
LD 635	An Act To Incentivize Legislative Carpooling	Majority (ONTP) Report
LD 850	An Act To Prohibit a Person from Providing False Testimony to a Committee of the Legislature	Died Between Houses
LD 890	An Act To Include a Representative of the Aroostook Band of Micmacs in the House of Representatives	CARRIED OVER
LD 1007	RESOLUTION, Proposing an Amendment to the Constitution of Maine To Increase the Lengths of Terms and Decrease the Number of Terms of Members of the Legislature	Majority (ONTP) Report

State Government - Property

Enacted

LD 648	An Act To Expand the Types of Nonprofit Organizations to Which Surplus Property May Be Sold by the State	PUBLIC 310
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Not Enacted

LD 1021	Resolve, To Establish the Study Committee To Develop a Disposition Plan for Future Surplus State Property in York County	CARRIED OVER
LD 1604	Resolve, To Amend Authorization To Sell Certain Property in Augusta	CARRIED OVER