

STATE OF MAINE
129TH LEGISLATURE
FIRST REGULAR SESSION



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

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

August 2019

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STAFF:

LYNNE CASWELL, LEGISLATIVE ANALYST
OFFICE OF POLICY AND LEGAL ANALYSIS
13 STATE HOUSE STATION
AUGUSTA, ME 04333
(207) 287-1670
<http://legislature.maine.gov/opla/>

Joint Standing Committee on State and Local Government

LD 42 An Act To Provide for Nonpartisan Elections for the Office of District Attorney ONTP

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

This bill requires that a district attorney be elected on a nonpartisan ballot and that a vacancy in the office be filled without regard to political affiliation. A candidate for district attorney must file by nomination petition and may not include party affiliation. The candidate is not required to unenroll from a party.

LD 53 An Act To Clarify Local Referendum Ballots PUBLIC 58

<u>Sponsor(s)</u>	<u>Committee Report</u>	<u>Amendments Adopted</u>
SANBORN H	OTP-AM	S-41

This bill requires municipalities, for all initiative and referendum questions listed on election ballots, use sequential capital letters of the alphabet and not sequential numbers as required by Maine Revised Statutes, Title 21-A, section 906, subsection 7.

Committee Amendment "A" (S-41)

This amendment allows, but does not require, municipal officers to use sequential capital letters for municipal initiative and referendum questions. This amendment clarifies that Maine Revised Statutes, Title 21-A, section 906, subsection 7, is applicable to municipal initiative and referendum questions except for the sequential numbering requirement.

Enacted Law Summary

Public Law 2019, chapter 58 permits municipalities to use sequential capital letters instead of sequential numbering for municipal initiative and referendum questions.

**LD 58 RESOLUTION, Proposing an Amendment to the Constitution of Maine Accepted Majority
To Extend the Terms of Legislators to 4 Years (ONTP) Report**

<u>Sponsor(s)</u>	<u>Committee Report</u>	<u>Amendments Adopted</u>
NADEAU C CHENETTE J	ONTP OTP-AM	

This resolution proposes to amend the Constitution of Maine to increase the length of the terms of State Senators and members of the House of Representatives from 2 years to 4 years beginning in 2022.

Committee Amendment "A" (H-419)

This amendment is the minority report of the committee. It increases the term of office for Representatives and Senators to include two 4-year terms and one 2-year term within 10-year cycles starting with the general election in 2022. To stagger terms within the 10-year cycle, the House and Senate districts are divided as equally as possible into 3 groups with terms as follows: the first group follows a cycle of one 4-year term followed by one 2-year term followed by one 4-year term; the second group follows a cycle of one 2-year term followed by two 4-year terms; and the third group follows a cycle of two 4-year terms followed by one 2-year term.

Joint Standing Committee on State and Local Government

This amendment was not adopted.

LD 59 An Act To Permit Plantations To Fill Vacancies of Town Officials

**PUBLIC 18
EMERGENCY**

<u>Sponsor(s)</u>	<u>Committee Report</u>	<u>Amendments Adopted</u>
DEVIN M	OTP-AM	H-8

This bill establishes a procedure for a plantation to recall an elected official due to neglect of duty or misconduct.

Committee Amendment "A" (H-8)

This amendment strikes the bill except for the emergency preamble and clause. This amendment applies town law to plantations with respect to filling a vacancy in the office of a plantation official.

Enacted Law Summary

Public Law 2019, chapter 18 applies town law to plantations with respect to filling a vacancy in a plantation office.

Public Law 2019, chapter 18 was enacted as an emergency measure effective April 5, 2019.

**LD 90 An Act To Amend the Law Governing the Membership of the Town of
York Planning Board and the Town of York Appeals Board**

**P & S 3
EMERGENCY**

<u>Sponsor(s)</u>	<u>Committee Report</u>	<u>Amendments Adopted</u>
BLUME L LAWRENCE M	OTP-AM	H-36

This bill removes the requirement that at least one member of the Town of York Planning Board and the Town of York Appeals Board be a resident of the York Beach geographical area.

Committee Amendment "A" (H-36)

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

Enacted Law Summary

Private and Special Law 2019, chapter 3 repeals the section of law that requires one member of the Town of York Planning Board and one member of the Town of York Appeals Board be a resident of the York Beach geographical area.

Private and Special Law 2019, chapter 3 was enacted as an emergency measure effective April 11, 2019.

**LD 144 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**

ONTP

<u>Sponsor(s)</u>	<u>Committee Report</u>	<u>Amendments Adopted</u>
KESSLER C GUERIN S	ONTP	

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

LD 170 An Act To Prohibit Questions Regarding Criminal History on Certain State Employment Applications PUBLIC 22

<u>Sponsor(s)</u>	<u>Committee Report</u>	<u>Amendments Adopted</u>
SHEATS B BELLOWS S	OTP	

This bill prohibits the State from including criminal history questions on employment application forms except when, due to the nature and requirements of the position, a person with a criminal history may be disqualified from eligibility. This bill applies to state employment with the legislative, executive and 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.

Enacted Law Summary

Public Law 2019, chapter 22 prohibits the State from including criminal history questions on employment application forms except when, due to the nature and requirements of the position, a person with a criminal history may be disqualified from eligibility. It applies to state employment with the legislative, executive and 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.

LD 179 An Act To Change the Name of Columbus Day to Indigenous Peoples Day PUBLIC 59

<u>Sponsor(s)</u>	<u>Committee Report</u>	<u>Amendments Adopted</u>
COLLINGS B CARPENTER M	OTP ONTP	

This bill changes the Columbus Day holiday in the State to Indigenous Peoples Day.

Enacted Law Summary

Public Law 2019, chapter 59 changes the Columbus Day holiday to the Indigenous Peoples Day holiday.

LD 209 An Act To Prohibit Municipalities from Prohibiting Short-term Rentals Accepted Majority (ONTP) Report

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

This bill prevents municipalities from prohibiting or restricting the use of short-term rentals except for narrowly tailored regulations to protect public health and safety.

Committee Amendment "A" (H-28)

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This amendment is the minority report of the committee. It prevents municipalities from prohibiting short-term rentals. It removes the 4-person limit in the definition of "short-term rental".

This amendment was not adopted.

LD 226 An Act To Require the Use of Preapproved Subcontractors for Publicly Funded Construction Projects ONTP

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

This bill requires general contractors who bid on public improvement projects with a value over \$100,000 to use preapproved subcontractors for certain components of the project. It requires the Director of the Bureau of General Services to establish a process to solicit, accept and evaluate bids from subcontractors to be preapproved for future capital improvement contracts.

LD 257 An Act To Help Ensure That the Legislature Has the Information Necessary To Do the Work of the People of Maine PUBLIC 136

<u>Sponsor(s)</u>	<u>Committee Report</u>	<u>Amendments Adopted</u>
MIRAMANT D EVANGELOS J	OTP-AM OTP	S-76

This bill amends the chapter of the Maine Revised Statutes concerning interbranch communication and coordination to prohibit the Governor from limiting access to department commissioners and other executive branch personnel when the Legislature is seeking information necessary for the Legislature to do the work of the people of Maine.

Committee Amendment "A" (S-76)

This amendment is the majority report of the committee. It replaces the bill with several legislative findings emphasizing the Constitutional and historical basis for active participation of the executive branch in the legislative process to ensure informed and effective legislation.

Enacted Law Summary

Public Law 2019, chapter 136 enacts legislative findings emphasizing the Constitutional and historical basis for active participation of the executive branch in the legislative process to ensure informed and effective legislation.

LD 285 An Act To Provide for Legislative Review of Federally Mandated Major Substantive Rules under the Maine Administrative Procedure Act PUBLIC 29

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

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

Enacted Law Summary

Public Law 2019, chapter 29 repeals the provision of law that exempts from legislative review major substantive rules adopted to comply with federal law or to qualify for federal funds.

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LD 301 An Act To Help Older Adults Age in Place through Comprehensive Planning

PUBLIC 38

<u>Sponsor(s)</u>	<u>Committee Report</u>	<u>Amendments Adopted</u>
BABBIDGE C CLAXTON N	OTP-AM	H-31

This bill encourages municipalities to develop growth management policies and plans that assist older adults with aging in place and that create age-friendly communities.

Committee Amendment "A" (H-31)

This amendment revises the definition of "age-friendly community" to clarify that it refers to older adults and not to other age groups.

Enacted Law Summary

Public Law 2019, chapter 38 encourages municipalities to adopt comprehensive land use and growth management policies that plan for the needs of older adults in their community including assisting older adults with aging in place.

LD 370 An Act To Facilitate State Employee Service in the Legislature

ONTP

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

This bill allows a State officer or employee in classified and unclassified service to campaign for and serve in a partisan elective office in the Legislature if the officer or employee first resigns or requests and takes a leave of absence from the classified or unclassified service. The officer or employee may be granted unpaid leave while serving in the Legislature under the same provision of law that allows employees in general to be granted a leave of absence from their employment during their service in the Legislature.

LD 390 An Act To Amend the Laws Governing Dangerous Buildings

CARRIED OVER

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

This bill allows a municipality or county seeking an order of demolition of a dangerous building to seek a writ of attachment of the property on which the building is located.

This bill was carried over to any special or regular session, or both, of the 129th Legislature by joint order, H.P. 1322.

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LD 391 Resolve, To Establish the Study Committee To Develop a Disposition Plan for Future Surplus State Property in York County ONTP

<u>Sponsor(s)</u>	<u>Committee Report</u>	<u>Amendments Adopted</u>
MASTRACCIO A WOODSOME D	ONTP	

This resolve establishes the Study Committee To Develop a Disposition Plan for Future Surplus State Property in York County. The Committee will study and plan the disposition of the three district courthouses in York County to be vacated when the courts are consolidated.

LD 431 An Act To Make Election Day a State Holiday CARRIED OVER

<u>Sponsor(s)</u>	<u>Committee Report</u>	<u>Amendments Adopted</u>
COLLINGS B MIRAMANT D	OTP-AM ONTP	H-188

This bill designates the day of the general election, which is the day of the regular election of state and county officials occurring biennially in November, as a state holiday.

Committee Amendment "A" (H-188)

This amendment, which is the majority report of the committee, adds an appropriations and allocations section.

This resolve was reported out of committee and then carried over to any special or regular session, or both, of the 129th Legislature on the Special Appropriations Table by joint order, H.P. 1322.

LD 453 An Act To Ensure the Integrity and Accountability of Persons Who Are Elected to Public Office Accepted Majority (ONTP) Report

<u>Sponsor(s)</u>	<u>Committee Report</u>	<u>Amendments Adopted</u>
KEIM L WADSWORTH N	ONTP OTP-AM	

This bill is a concept draft pursuant to Joint Rule 208. This bill proposes to enact measures designed to ensure the integrity and accountability of persons who are elected to public office.

Committee Amendment "A" (S-119)

This amendment is the minority report of the committee. It sets out a process for county commissioners to request that the Governor suspend a county sheriff while considering a complaint to remove the sheriff pursuant to the Constitution of Maine, Article IX, Section 10.

This amendment was not adopted.

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LD 456 An Act To Strengthen the Qualifications for County Sheriffs

PUBLIC 33

<u>Sponsor(s)</u>	<u>Committee Report</u>	<u>Amendments Adopted</u>
DESCHAMBAULT S COSTAIN D	OTP-AM	S-13

This bill requires the 5 years of supervisory experience required of candidates for the office of county sheriff be supervisory experience in law enforcement.

Committee Amendment "A" (S-13)

This amendment reduces the required number of years of supervisory experience for county sheriffs from five years to two years and expands the type of supervisory experience required to include corrections.

Enacted Law Summary

Public Law 2019, chapter 33 requires candidates for county sheriff to have at least two years of supervisory experience in law enforcement or corrections, or some combination of both.

LD 481 An Act To Allow the Expansion of the Types of Newspapers That Qualify as Legal Notice Publishers by Removing the 2nd Class Postal Matter Requirement

ONTP

<u>Sponsor(s)</u>	<u>Committee Report</u>	<u>Amendments Adopted</u>
MIRAMANT D MATLACK A	ONTP	

This bill removes from the law governing publication of legal notices, legal advertising and other matter required by law to be published in a newspaper, the requirement that, in order for a newspaper to be qualified as a medium for such publications, it must be entered as second class postal matter in the United States mails.

LD 482 An Act To Reduce the Participation Thresholds for Various Municipal Referenda and To Change the Measurement of Those Thresholds from Votes Cast for and against the Question to Votes in Favor of the Question

ONTP

<u>Sponsor(s)</u>	<u>Committee Report</u>	<u>Amendments Adopted</u>
POULIOT M DOORE D	ONTP	

This bill changes the voting thresholds required when a municipality votes to:

1. Withdraw from a Regional School Unit;
2. Adopt or revise its charter; and
3. Votes to deorganize.

This bill requires that for a vote to be valid in these situations a certain percentage of votes must be cast in favor of the measure. A vote to withdraw from a Regional School Unit is valid if the number of votes cast in favor of

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withdrawal equals or exceed 25% of the total votes cast in the municipality for Governor in the last gubernatorial election. A vote to adopt or revise a charter is valid if the number of votes cast in favor of the proposed change equals or exceeds 15% of the total votes cast in the municipality in the last gubernatorial election. A vote to deorganize is valid if the number of votes cast in favor of deorganization equals or exceeds 1/3 of the total votes cast in the municipality for Governor in the last gubernatorial election.

LD 489 An Act To Allow Municipalities To Enforce New Noise Ordinances on Existing Shooting Ranges ONTP

<u>Sponsor(s)</u>	<u>Committee Report</u>	<u>Amendments Adopted</u>
CHENETTE J BAILEY D	ONTP	

This bill gives municipalities the authority to adopt noise control or other ordinances for sport shooting ranges if the Commissioner of Public Safety approves the ordinance pursuant to criteria and a process established through rulemaking. Rules adopted by the Commissioner of Public Safety are major substantive.

**LD 520 An Act To Resolve Tie Votes by the Washington County Budget Advisory Committee PUBLIC 23
EMERGENCY**

<u>Sponsor(s)</u>	<u>Committee Report</u>	<u>Amendments Adopted</u>
TUELL W	OTP-AM	H-27

This bill provides that in the event of a tie vote on a budget item by the Washington County Budget Advisory Committee, the committee is required to present the item to the Washington County commissioners to decide by majority vote.

Committee Amendment "A" (H-27)

This amendment prevents a tie vote from occurring in the Washington County Budget Adviosry Committee by making the legislative member of the committee a nonvoting member, leaving an odd number of voting members.

Enacted Law Summary

Public Law 2019, chapter 23 makes the legislative delegate of the Washington County Budget Advisory Committee a nonvoting member.

Public Law 2019, chapter 23 was enacted as an emergency measure effective April 11, 2019.

LD 521 An Act To Amend the Archives and Records Management Law PUBLIC 50

<u>Sponsor(s)</u>	<u>Committee Report</u>	<u>Amendments Adopted</u>
JORGENSEN E DAVIS P	OTP-AM	H-52

This bill makes the following changes to the archives and records management law.

1. It specifies 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.

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2. It includes the advice from the Archives Advisory Board in the State Archivist's consideration of what constitutes an archival record.
3. It changes the definition of "state agency" or "agency" to include all government agencies, including the Legislature and the judicial branch.
4. It changes the definition of "electronic records".
5. It adds language regarding the powers and duties of the State Archivist that was previously stricken.
6. It changes the laws governing the State Archivist to reflect the two organizational units of the Maine State Archives: archives services and records management.
7. 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.
8. It specifies when local government records may be destroyed.
9. It changes the expertise of Archives Advisory Board members, the appointment of the members and the term.
10. It changes the reporting requirement for the Maine Historical Records Advisory Board report from the joint standing committee of the Legislature having jurisdiction over education and cultural affairs to the joint standing committee of the Legislature having jurisdiction over the Maine State Archives.
11. It removes reference to a position that was eliminated in Public Law 2015, chapter 480.

Committee Amendment "A" (H-52)

This amendment removes the judicial branch from the requirements of the Archives and Records Management Law, as in current law.

Enacted Law Summary

Public Law 2019, chapter 50 makes the following changes to the Archives and Records Management Law in Maine Revised Statutes, Title 5, chapter 6.

1. It specifies 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. It includes the advice from the Archives Advisory Board in the State Archivist's consideration of what constitutes an archival record.
3. It expands the definition of "state agency" or "agency" to include the Legislature.
4. It changes the definition of "electronic records".
5. It adds language regarding powers and duties of the State Archivist that was stricken.
6. It changes the laws governing the State Archivist to reflect the two organizational units of the Maine State Archives: archives services and records management.
7. 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

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requirements, fiscal and audit requirements and historical and research value.

8. It specifies when local government records may be destroyed.

9. It changes the expertise of Archives Advisory Board members, the appointment of the members and the term.

10. It changes the reporting requirement for the Maine Historical Records Advisory Board report from the joint standing committee of the Legislature having jurisdiction over education and culture affairs to the joint standing committee of the Legislature having jurisdiction over the Maine State Archives.

11. It removes reference to a position that was eliminated in Public Law 2015, chapter 480.

LD 554 An Act To Clarify the Authority To Recall Municipal Officials

ONTP

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

This bill repeals the provision in Maine Revised Statute, Title 30-A, section 2505 that limits the recall process for elected municipal officials to cases where the official is convicted of a crime, the conduct of which occurred during the official's term of office and the victim of which is the municipality.

LD 563 An Act To Help Municipalities Prepare for Sea Level Rise

PUBLIC 153

<u>Sponsor(s)</u>	<u>Committee Report</u>	<u>Amendments Adopted</u>
BLUME L BREEN C	OTP-AM ONTP	H-180

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 a coastal municipality or multimunicipal region that includes a coastal municipality, if the municipality or region adopts a growth management program under the State's growth planning and land use laws, 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 a coastal program administered by the Department of Marine Resources.

Committee Amendment "A" (H-180)

This amendment in the majority report of the committee. It clarifies that a municipality or multimunicipal region that is in the "coastal area" as defined in Maine Revised Statutes, Title 38, section 1802 is subject to the bill. This amendment strikes the language in the bill requiring the state, local and federal agencies responsible for regulating, planning, developing or managing coastal resources 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.

Enacted Law Summary

Public Law 2019, chapter 153 encourages municipalities and multimunicipal regions to assess and plan for the

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effects of sea level rise on buildings, transportation infrastructure, sewage treatment facilities, and other state, regional, municipal, or privately held infrastructure property or resources.

LD 572 An Act Regarding the State Bird ONTP

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

This bill is a concept draft pursuant to Joint Rule 208. This bill proposes to specify the black-capped chickadee or the boreal chickadee as the state bird.

LD 585 An Act To Allow the Adoption of Ordinances Prohibiting the Accumulation of Trash on Private Property in Plantations PUBLIC 138

<u>Sponsor(s)</u>	<u>Committee Report</u>	<u>Amendments Adopted</u>
MCCREA D VITELLI E	OTP-AM	H-187

This bill grants plantations the power to control junkyards and automobile graveyards in the same manner as municipalities. The bill grants to county commissioners the power to control junkyards and automobile graveyards in unorganized territories in the same manner as municipalities.

Committee Amendment "A" (H-187)

This amendment strikes out the title and everything after the enacting clause. It limits the applicability of the bill to plantations. It removes reference to junkyards and automobile graveyards. It grants plantations the authority to enact ordinances with respect to the accumulation of garbage, refuse, rubbish or trash or unwanted or discarded material of any kind on private property in the same manner as municipalities.

Enacted Law Summary

Public Law 2019, chapter 138 grants plantations the power to enact ordinances prohibiting the accumulation of garbage, refuse, rubbish or trash or unwanted or discarded material of any kind on private property in the same manner as municipalities.

LD 592 Resolve, To Establish a Background Check Consolidation Commission CARRIED OVER

<u>Sponsor(s)</u>	<u>Committee Report</u>	<u>Amendments Adopted</u>
MCCREA D VITELLI E	OTP-AM ONTP	H-35

This resolve establishes the Background Check Consolidation Commission to study consolidating and centralizing criminal background checks mandated by state law as a prerequisite to employment, including background checks for teachers, state workers and persons seeking Maine Guide licenses. It prohibits the commission from studying background checks to obtain firearms.

Committee Amendment "A" (H-35)

This amendment is the majority report of the committee. It removes the emergency preamble and clause. It reduces the number of Senate members on the committee from four to two and increases the number of House members

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from three to five. It adds the Commissioner of Administrative and Financial Services, or the commissioner's designee, to the Background Check Consolidation Commission. It moves the report deadline from December 4, 2019 to December 20, 2019.

This resolve was reported out of committee and then carried over to any special or regular session, or both, of the 129th Legislature on the Special Study Table by joint order, H.P. 1322.

**LD 623 An Act To Amend the Charter of the City of Brewer High School District P & S 6
EMERGENCY**

<u>Sponsor(s)</u>	<u>Committee Report</u>	<u>Amendments Adopted</u>
VEROW A LIBBY N	OTP-AM	H-71

This bill amends the charter of the City of Brewer High School District to provide that each trustee of the district receives annual compensation as determined by the city council and to provide that the president, treasurer and clerk receive additional annual compensation as determined by the city council.

Committee Amendment "A" (H-71)

This amendment adds an emergency preamble and clause to ensure the legislation becomes effective prior to the start of the City of Brewer's fiscal year 2019-20. This amendment requires that each City of Brewer High School District trustee receives the same amount of compensation and removes the provision regarding additional compensation for the president, treasurer and clerk.

Enacted Law Summary

Private and Special Law 2019, chapter 6 amends the City of Brewer High School District charter to provide equal compensation to all trustees, beginning in fiscal year 2019-20, in an amount determined by the City of Brewer council.

Private and Special Law 2019, chapter 6 was enacted as an emergency measure effective April 30, 2019.

**LD 655 An Act To Allow Municipalities To Send Separate Tax Bills for Municipal and County and School Taxes Accepted Majority
(ONTP) Report**

<u>Sponsor(s)</u>	<u>Committee Report</u>	<u>Amendments Adopted</u>
ORDWAY L FARRIN B	ONTP OTP	

This bill permits municipalities to issue separate tax bills for taxes attributable to education funding, taxes attributable to county taxes, and all other municipal costs.

LD 687 Resolve, To Create a Flag To Recognize the Bicentennial of the State RESOLVE 22

<u>Sponsor(s)</u>	<u>Committee Report</u>	<u>Amendments Adopted</u>
COOPER J	OTP-AM ONTP	H-72

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This bill replaces the current State of Maine flag with Maine's flag from 1909.

Committee Amendment "A" (H-72)

This amendment is the majority report of the committee. It strikes out the title and changes this bill into a resolve directing the Secretary of State to create a bicentennial flag for the State.

Enacted Law Summary

Resolve 2019, chapter 22 directs the Secretary of State to create, within existing resources, a commemorative flag in recognition and celebration of Maine's bicentennial.

LD 696 An Act To Require Municipalities and School Districts To Provide PUBLIC 512
Notice of Breaches in Personal Data Security

<u>Sponsor(s)</u>	<u>Committee Report</u>	<u>Amendments Adopted</u>
BELLOWS S DAUGHTRY M	OTP-AM	S-77 S-364 BREEN C

This bill requires a public employer, if the public employer determines or suspects there has been a breach of confidentiality or theft of an employee's personal information due to cyber activity or other means, to notify the employee within 24 hours of being notified of or discovering the breach or theft and to provide the employee financial counseling.

Committee Amendment "A" (S-77)

This amendment strikes out the title and everything after the enacting clause. It amends the existing Notice of Risk to Personal Data Act in Maine Revised Statutes, Title 10, chapter 210-B to add municipalities and school administrative units to the entities obligated under the Act to provide notice in the event of a data breach. It clarifies that the notice must be given no later than 30 days after the information broker or person maintaining computerized data that includes personal information becomes aware of a security breach. It exempts municipalities and school administrative units from the civil violations provision of the Notice of Risk to Personal Data Act.

Senate Amendment "A" To Committee Amendment "A" (S-364)

This floor amendment clarifies that the 30-day notification requirement applies only if there is not a delay due to a law enforcement investigation.

Enacted Law Summary

Public Law 2019, chapter 512 requires municipalities and school administrative units provide notice in the event of a breach of data security. Notice must be provided no later than 30 days after the information broker or person maintaining the computerized data becomes aware of the breach of security and identifies its scope. Municipalities and school administrative units are one of several entities exempt from the civil penalties applicable for failure to comply with the statute.

LD 730 An Act To Create the Substance Use Disorders Cabinet ONTP

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

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This bill establishes the Substance Use Disorders Cabinet. The cabinet consists of the commissioners from several executive branch agencies, the Chief Justice of the Supreme Judicial Court and, at the discretion of the Governor, one member of the public. The cabinet is established to promote interdepartmental collaboration on substance use disorders policy development and program implementation and to support service delivery in an integrated manner.

LD 744 Resolve, Authorizing the Commissioner of Administrative and Financial Services To Convey the Interests in Certain Real Property Located in East Millinocket RESOLVE 76

<u>Sponsor(s)</u>	<u>Committee Report</u>	<u>Amendments Adopted</u>
STANLEY S	OTP-AM	H-489

This resolve authorizes the Commissioner of Administrative and Financial Services to lease or sell the state property known as "the Dolby Landfill" located in the Town of East Millinocket.

Committee Amendment "A" (H-489)

This amendment gives the Town of East Millinocket the right of first refusal to purchase the state property at the broker's opinion of value. It clarifies that the State does not own the timber rights to the property and removes the lease option.

Enacted Law Summary

Resolve 2019, chapter 76 permits the Commissioner of the Department of Administrative and Financial Services to sell all or part of the property located in the Town of East Millinocket conveyed to the State by Katahdin Paper Company LLC on September 28, 2011 and recorded in the Penobscot County Registry of Deeds, Book 12608, Page 97-104. It gives the Town of East Millinocket the right of first refusal to purchase the state property at the broker opinion of value. Any proceeds from the sale must be deposited into the Department's Bureau of General Services' capital repair and improvement account for capital improvements. The resolve is repealed 5 years from its effective date.

LD 746 An Act To Allow Municipalities To Determine the Duration of Development Districts Funded by Assessments PUBLIC 140

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

This bill repeals the 30-year limit on the duration of a development district created by a municipality or plantation and funded by assessments. Development districts that are a tax increment financing district remain subject to the 30-year limitation.

Enacted Law Summary

Public Law 2019, chapter 140 permits a development district established by a municipality or plantation and funded by assessments to be of unlimited duration unless a limitation on duration is established by the legislative body of the municipality or plantation adopting the development district.

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LD 749 An Act To Increase the Transparency of the "Maine Open Checkbook" Website ONTP

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

This bill requires the State Controller to maintain a publicly accessible website with up-to-date information concerning the State's payroll and vendor information. This bill requires the website to include the names of all recipients of state grants, track and record all payments made by quasi-public entities of the State, and include the dollar value of credits awarded through all state economic development programs.

LD 806 An Act To Clarify the Definition of "Ancient Burying Ground" ONTP

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

This bill defines an ancient burying grounds to include private cemeteries established pursuant to Public Law 1829, chapter 420 and Public Law 1839, chapter 392 and family burying grounds established before 1880. It permits the existence of an ancient burying ground be established through family papers, records of registers of deeds or municipal records, but provides that the lack of such documentation, or of apparent marked boundaries, does not negate the existence of, or a place's status as, an ancient burying ground.

LD 825 An Act To Change the Harassment Prevention Training Required for Legislators, Legislative Staff and Lobbyists PUBLIC 41

<u>Sponsor(s)</u>	<u>Committee Report</u>	<u>Amendments Adopted</u>
TALBOT ROSS R BLACK R	OTP-AM	H-30

This bill expands the scope of harassment prevention training required for Legislators, legislative staff and lobbyists to include racial harassment.

Committee Amendment "A" (H-30)

This amendment clarifies that sexual and racial harassment are some, but not all of the types of harassment about which Legislators, legislative staff and lobbyists must be trained.

Enacted Law Summary

Public Law 2019, chapter 41 requires Legislators, legislative staff and lobbyists receive training on harassment, including but not limited to, sexual and racial harassment.

LD 848 An Act Concerning Disclosure Requirements for Transfers of Properties Accessed by Means Other Than a Public Way PUBLIC 142

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

Joint Standing Committee on State and Local Government

This bill conforms the disclosure requirements for transfers of residential and nonresidential properties that are accessed by means other than a public way.

Enacted Law Summary

Public Law 2019, chapter 142 requires the seller of nonresidential real property to provide the purchaser with a disclosure statement containing information describing the means of access to the property by a public way and any other means of access.

LD 867 An Act To Require Public Health Impact Statements for Certain ONTP Legislation

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

This bill requires the Department of Health and Human Services, when requested by the chairs of a joint standing committee of the Legislature, to prepare and provide a public health impact statement for any work session scheduled before the requesting committee. The public health impact statement must include potential positive and negative public health effects of the legislation, considerations necessary for the decision-making process regarding the legislation and practical recommendations to increase the positive health effects and minimize the negative health effects of the legislation.

LD 885 An Act To Adopt Eastern Daylight Time Year-round PUBLIC 268

<u>Sponsor(s)</u>	<u>Committee Report</u>	<u>Amendments Adopted</u>
BAILEY D	OTP-AM	H-307

This bill requires the State to observe so-called eastern daylight saving time year-round if the United States Congress authorizes states to do so.

Committee Amendment "A" (H-307)

This amendment changes Maine's standard time to what is commonly known as eastern daylight time on a year-round basis when federal law permits the District of Columbia and all states within the eastern time zone to observe eastern daylight time year-round and the District of Columbia and all the eastern time zone states do so. This amendment requires the Secretary of State to monitor legislative activity by the United States Congress, the District of Columbia and all the eastern time zone states regarding year-round eastern daylight time and provide public notice when each of the conditions is met. The amendment specifies the start date of year-round eastern daylight time and requires the Secretary of State to provide public notice of the effective date.

Enacted Law Summary

Public Law 2019, chapter 268 sets Maine's standard time, year-round, to what is commonly known as eastern daylight time. Year-round eastern daylight time goes into effect when federal law permits the District of Columbia and all states within the eastern time zone to observe eastern daylight time year-round and the District of Columbia and all the eastern time zone states do so. The Secretary of State must monitor legislative activity by the United States Congress, the District of Columbia and all the eastern time zone states and provide public notice when each of the conditions is met. Year round eastern daylight time is effective immediately upon the fulfillment of both conditions if the State is observing eastern daylight time on the date both conditions are met. Year-round eastern daylight time is effective on the next start date of eastern daylight time after both conditions are met if the State is

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not observing eastern daylight time on the date both of the conditions are met.

LD 928 An Act To Create a Process To Preempt the Implementation of Powers Delegated by the Legislature ONTP

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

This bill is a concept draft pursuant to Joint Rule 208. This bill proposes to create a process to allow the Legislature to preempt the implementation of powers delegated by the Legislature.

LD 933 Resolve, Authorizing Certain Persons To Sue the Town of Kittery Leave to Withdraw Pursuant to Joint Rule

<u>Sponsor(s)</u>	<u>Committee Report</u>	<u>Amendments Adopted</u>
RYKERSON D LAWRENCE M		

This resolve authorizes persons who claim to have suffered damages arising from the Kittery Community Center transport van accident on Interstate 95 in Greenland, New Hampshire on August 10, 2018 to sue the Town of Kittery for damages resulting from the accident and waives the statutory limitations on damage recovery.

LD 940 An Act To Increase the Number of Franklin County Commissioners PUBLIC 362

<u>Sponsor(s)</u>	<u>Committee Report</u>	<u>Amendments Adopted</u>
RILEY T BLACK R	OTP-AM	H-488 S-266 CLAXTON N

This bill increases the number of Franklin County commissioner districts from three to five beginning with the election to be held November 3, 2020. This bill sets out the geographic boundaries of the five districts.

Committee Amendment "A" (H-488)

This amendment strikes out everything after the enacting clause. This amendment increases the number of commissioner districts in Franklin County from three to five beginning with the first election held after the 2021 redistricting provided the increase is approved by a majority of the legal voters in Franklin County by referendum ballot at the next general election held in November, 2020. This amendment requires the next redistricting to follow as closely as practicable, the geographic description of each district as set forth in the bill. This amendment provides that the term of office for the three county commissioners elected in 2020 expires in 2022. This amendment changes the staggered terms of the five districts so that the initial term for the county commissioners elected for Districts One, Two and Three, is two years followed by four-year terms. The commissioners elected for Districts Four and Five have a four-year.

Senate Amendment "A" To Committee Amendment "A" (S-266)

This amendment makes a technical correction to reflect that the current term of the commissioner for Commissioner District Three does not expire until 2022.

Enacted Law Summary

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Public Law 2019, chapter 362 increases the number of county commissioner districts in Franklin County from three to five effective at the first election held after the 2021 redistricting provided the majority of legal voters in Franklin County vote in favor of the increase by referendum ballot held at the next general election in November 2020. It requires the next redistricting to follow as closely as practicable, the geographic description of each district as set forth in the bill. The term of office for the five commissioners is four years with staggered terms. The commissioners elected to Districts One, Two and Three in 2022 serve an initial two-year term. The commissioners elected to Districts Four and Five in 2022 serve four year terms from the start.

LD 948 An Act To Restrict Ordinances That Affect the Posting of Property for Municipal and Private Land ONTP

<u>Sponsor(s)</u>	<u>Committee Report</u>	<u>Amendments Adopted</u>
COREY P KEIM L	ONTP	

This bill provides that a municipality or political subdivision of the State may not enact an ordinance, law or rule regulating the posting of property by marking with signs or paint that is different from the provisions in state law regulating the posting of property by marking with signs or paint.

LD 953 An Act To Enact a Vehicle Use Ordinance for Monhegan Plantation ONTP

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

This bill is a concept draft pursuant to Joint Rule 208. This bill proposes to enact an ordinance for Monhegan Plantation related to vehicle use in Monhegan Plantation; due to its status as a plantation, Monhegan Plantation is restricted under current law in its ability to enact such ordinances.

LD 970 An Act To Encourage Policies Regarding Accessory Dwelling Units under Local Comprehensive Plans and Zoning Requirements PUBLIC 145

<u>Sponsor(s)</u>	<u>Committee Report</u>	<u>Amendments Adopted</u>
CAMPBELL D DIAMOND B	OTP-AM	H-179

This bill directs municipalities to develop policies in the comprehensive planning process that provide for accessory dwelling units, which are dwelling units located within a detached single-family dwelling unit.

Committee Amendment "A" (H-179)

This amendment expands the definition of "accessory dwelling unit" to include a dwelling unit attached to or detached from another single-dwelling unit. It clarifies that municipalities are encouraged, but not required, to develop policies during the comprehensive planning process that provide for accessory dwelling units. This amendment reorganizes the Maine Revised Statutes, Title 30-A, section 4236, subsection 3-A, paragraph G for ease of understanding.

Enacted Law Summary

Public Law 2019, chapter 145 encourages municipalities to develop policies that provide for accessory dwelling units which are defined as self-contained dwelling units located within, attached to or detached from a single-family

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dwelling unit on the same parcel of land.

LD 1004 Resolve, To Direct the Department of Administrative and Financial Services To Study the Costs and Benefits of Telework to the State and Its Employees

RESOLVE 37

<u>Sponsor(s)</u>	<u>Committee Report</u>	<u>Amendments Adopted</u>
BERRY S	OTP-AM	H-181

This bill requires that by 2030 at least 30% of state employees must be teleworking. Telework is defined as a flexible work arrangement under which an employee performs the duties and responsibilities of the employee's position from a location other than the office or location provided by the employer. The bill requires the Department of Administrative and Financial Services to annually report the State's progress toward this goal the joint standing committee of the Legislature having jurisdiction over state and local government matters.

Committee Amendment "A" (H-181)

This amendment changes the bill into a resolve directing the Department of Administrative and Financial Services to conduct a study of the costs and benefits of telework for the executive branch and its employees. The Department must report its findings and recommendations to the joint standing committee of the Legislature having jurisdiction over state and local government matters by October 1, 2020.

Enacted Law Summary

Resolve 2019, chapter 37 requires the Department of Administrative and Financial Services to conduct a study of the costs and benefits of telework for the executive branch and its employees. The Department must report its findings and recommendations to the joint standing committee of the Legislature having jurisdiction over state and local government matters by October 1, 2020. The Joint Standing Committee may introduce legislation to the 1st Regular Session of the 130th legislature.

LD 1011 An Act To Clarify Filing Requirements for Proposed Rules

PUBLIC 146

<u>Sponsor(s)</u>	<u>Committee Report</u>	<u>Amendments Adopted</u>
MILLETT R PIERCE T	OTP-AM	S-73

This bill clarifies that when an agency provides notice to the Legislature of a proposed rule or the adoption of an emergency rule, it must identify whether the proposed rule or adopted emergency rule is a routine technical rule or a major substantive rule.

Committee Amendment "A" (S-73)

This amendment adds the requirement that the public notice for proposed and adopted rulemaking identify whether the rule is routine technical or major substantive as those terms are defined in Maine Revised Statutes, Title 5, section 8071, subsection 2.

Enacted Law Summary

Public Law 2019, chapter 146 requires the public notice and notice to the Legislature of any proposed or adopted rulemaking indicate whether the rule is routine technical or major substantive as those terms are defined in Maine Revised Statutes, Title 5, section 8071.

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LD 1054 An Act To Clarify the Use of Burying Grounds and Family Burying Grounds **CARRIED OVER**

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

This bill clarifies the law relating to burying grounds not larger than 1/2 of an acre and family burying grounds not larger than 1/4 of an acre. The description of both types of burying grounds must be recorded in the appropriate registry of deeds. Both are exempt from minimum lot size, and road frontage or other dimensional requirements of any land use regulation or ordinance. The appropriation of either does not create a lot or lots for purposes of subdivision regulation. Burying grounds not larger than 1/2 of an acre are exempt from attached and execution, and are indivisible by the owners without the consent of all the owners. The easement retained by the descendants of any person interned in a family burying ground may be used at reasonable hours using a reasonably convenient route established in a conveyance of the surrounding property, in a direct route from the public way nearest the burying ground, or by another route of equal convenience designated by the owner of the property surrounding the family burying ground.

This bill was carried over to any special or regular session, or both, of the 129th Legislature by joint order, H.P. 1322.

LD 1065 An Act To Expand Health Insurance Coverage To Certain State Employees **CARRIED OVER**

<u>Sponsor(s)</u>	<u>Committee Report</u>	<u>Amendments Adopted</u>
HICKMAN C SANBORN H	OTP-AM ONTP	H-292

This bill requires the State to pay its share of the employee health insurance plan premium for seasonal or session-only employees regardless of whether the employee is in active work status, except when the seasonal or session-only employee has health coverage under another plan.

Committee Amendment "A" (H-292)

This amendment is the majority report of the committee. It requires the State Budget Officer to calculate the increased cost to state departments and agencies due to the requirements of the bill and to transfer the required amounts by financial order. This amendment also adds an appropriations and allocations section.

This bill was reported out of committee and then carried over to any special or regular session, or both, of the 129th Legislature on the Special Appropriations Table by joint order, H.P. 1322.

LD 1066 An Act To Address Municipal Conflicts of Interest **ONTP**

<u>Sponsor(s)</u>	<u>Committee Report</u>	<u>Amendments Adopted</u>
SAMPSON H LIBBY N	ONTP	

This bill prohibits a municipal treasurer, tax collector or town officer performing the duties of either, from simultaneously acting as the municipality's code enforcement officer. The bill requires the town manager to

Joint Standing Committee on State and Local Government

**LD 1151 An Act To Ensure Consistency in Commercial Real Estate Law by
Restoring Due Diligence Responsibility to the Buyer**

**Accepted Majority
(ONTP) Report**

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

This bill repeals the requirement that a seller of nonresidential real estate provide the purchaser a property disclosure statement that includes information about any abandoned or discontinued roads, public easements or private roads on or abutting the property, if known by the seller, and who is responsible for maintenance of such roads or easements, including any responsible road association, if known by the seller.

**LD 1176 An Act Regarding Caretakers of Ancient Burying Grounds and Access
to Ancient Burying Grounds**

ONTP

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

This bill allows a descendant of an individual buried in an ancient burying ground to designate a caretaker if the municipality is unable to care for the burying ground or does not designate a caretaker. This bill clarifies that if the person who owns a parcel of land that contains an ancient burying ground denies access to the municipality the designated caretaker that person shall assume responsibilities for the maintenance duties.

LD 1209 An Act To Require Legislative Hearings on Citizen-initiated Legislation

PUBLIC 152

<u>Sponsor(s)</u>	<u>Committee Report</u>	<u>Amendments Adopted</u>
BRADSTREET D	OTP-AM	H-204

This bill requires a public hearing be held before a joint standing committee of the Legislature or a special legislative committee established by the Legislative Council for a petition for the direct initiative of legislation. The public hearing must be conducted in the same manner as other public hearings.

Committee Amendment "A" (H-204)

This amendment permits the Legislature to waive the public hearing requirement by a 2/3 vote of those present in each House of the Legislature.

Enacted Law Summary

Public Law 2019, chapter 152 requires the Legislature hold a public hearing on a petition for direct initiative submitted in accordance with the Constitution of Maine, Article IV, Part Third, Section 18. The public hearing must be conducted in the same manner as other public hearings and must be held by the joint standing committee of the Legislature having jurisdiction over the subject matter of the direct initiative or by a special legislative committee established for that purpose by the Legislative Council. The public hearing requirement may be waived by a 2/3 vote of the members present in each House of the Legislature.

Joint Standing Committee on State and Local Government

LD 1280 An Act To Establish the Maine Buy American and Build Maine Act

CARRIED OVER

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

This bill establishes the Maine Buy American 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, cement 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.

This bill requires that, in the case of a manufactured good other than an iron, cement 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 to implement the Act.

This bill requires that, if the department 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 2 years.

This 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.

This 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, which includes a business at which at least 60% of the employees are residents of Maine. 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.

This bill was carried over to any special or regular session, or both, of the 129th Legislature by joint order, H.P. 3122.

Joint Standing Committee on State and Local Government

LD 1300 Resolve, To Transfer the Guilford Butler School Property to the Town of South Thomaston

**RESOLVE 91
EMERGENCY**

<u>Sponsor(s)</u>	<u>Committee Report</u>	<u>Amendments Adopted</u>
MATLACK A MIRAMANT D	OTP-AM	H-264

This resolve authorizes the State, by and through the Commissioner of the Department of Administrative and Financial Services, to convey its interests in the state property known as the Guilford Butler School property in South Thomaston to the Town of South Thomaston.

Committee Amendment "A" (H-264)

This amendment incorporates a fiscal note.

Enacted Law Summary

Resolve 2019, chapter 91 authorizes the State, by and through the Commissioner of the Department of Administrative and Financial Services, to convey its interests in the state property known as the Guilford Butler School property located in South Thomaston to the Town of South Thomaston.

Resolve 2019, chapter 91 was finally passed as an emergency measure effective June 20, 2019.

LD 1302 An Act To Remove Vacancy Provisions for Certain Positions in County Government

**Accepted Majority
(ONTP) Report**

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

This bill repeals the provision of law that requires the Governor to fill vacancies in certain county positions with a successor from the same political party. The county positions covered by this bill include the county commissioner, treasurer, district attorney and registry of deed.

LD 1328 An Act To Increase the Salaries of the Governor and Legislators

ONTP

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

This bill increases the Governor's salary from \$70,000 per year to \$125,000 per year effective with the election of a Governor not in office on December 2, 2020. Beginning with the 130th Maine Legislature, this bill increases the salary of Maine Legislators from \$14,862 in the first year and \$10,613 in the 2nd year of a biennium, after adjustment for inflation, to \$20,000 in the first year and \$15,000 in the 2nd year of a biennium and the salary of a person who succeeds a member of the Legislature who dies or otherwise vacates office. This bill retains the annual cost-of-living adjustment for salary and clarifies that it applies to a successor's salary. This bill also increases the per diem meal and housing allowances paid to Legislators from \$32 and \$38 to \$40 and \$60, respectively.

Joint Standing Committee on State and Local Government

**LD 1340 An Act To Require Criminal History Record Checks for All Prospective
and Current Staff Members of the Office of the State Auditor**

**PUBLIC 416
EMERGENCY**

<u>Sponsor(s)</u>	<u>Committee Report</u>	<u>Amendments Adopted</u>
MARTIN D CLAXTON N	OTP-AM	H-420

This bill requires all employees of and persons who may be offered employment by the Office of the State Auditor to consent to having their fingerprints taken for criminal background checks conducted by the Department of Public Safety, which include state and federal criminal history record information from the United States Department of Justice, Federal Bureau of Investigation. This bill allows the Office of the State Auditor to request subsequent criminal background checks as the office determines appropriate and establishes provisions relating to confidentiality and use of the information and the rights of the subjects of the fingerprinting and criminal background checks.

Committee Amendment "A" (H-420)

This amendment adds an emergency preamble and emergency clause to ensure the Office of the State Auditor may immediately meet the fingerprint background check requirements set in federal regulation. This amendment makes several minor changes to section 1 to bring this law into conformity with similar criminal background check laws in Maine statute. The amendment authorizes the State Bureau of Identification to obtain fingerprints and conduct state and national criminal history record checks for the Office of the State Auditor. This amendment removes conflicts in the Maine Revised Statutes, Title 25, section 1542-A. This amendment adds an appropriations and allocations section.

Enacted Law Summary

Public Law 2019, chapter 416 permits the Office of the State Auditor to require fingerprint based background checks for current and potential employees. It authorizes the Department of Public Safety, State Bureau of Identification to conduct fingerprint based criminal background checks for the Office of the State Auditor.

Public Law 2019, chapter 416 was enacted as an emergency measure effective June 20, 2019.

**LD 1379 An Act To Increase the Annual Salary of the Governor and To Increase
the Expense Allowance Paid to Legislators**

ONTP

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

This bill increases the Governor's salary from \$70,000 per year to \$150,000 per year beginning January 2023. This bill increases the legislative meal and housing allowances from \$32 and \$38 to \$50 and \$75, respectively. It also increases the mileage allowance from \$38 to \$75. The increases in the expense allowances for Legislators take effect December 2, 2020.

**LD 1391 An Act To Ensure Consistency of Language in Municipal Documents
with the Language in Comprehensive Plans**

ONTP

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

Joint Standing Committee on State and Local Government

This bill amends the laws governing growth management programs to require that a municipality or multimunicipal region ensure that the language and requirements in charters, ordinances, policies, codes, regulations, bylaws and documents setting out or assessing fees align with each other and meet the overall intent of a comprehensive plan approved by the municipality or multimunicipal region. It also amends the law to encourage the consideration of economic effects by municipalities in their planning.

LD 1393 An Act To Change the Requirements for Recording Plans at the County Registries of Deeds

PUBLIC 439

<u>Sponsor(s)</u>	<u>Committee Report</u>	<u>Amendments Adopted</u>
HIGGINS N DAVIS P	OTP-AM	H-291

This bill makes the following changes to the laws governing recording plans in a registry of deeds.

1. It reduces the minimum paper size for plans.
2. It requires that plans be submitted on white 20-pound paper.
3. It specifies that paper plans be rolled and not folded.
4. It authorizes the register of deeds to return plans that are not legible for recording and archival purposes and the processing of which may damage county equipment or resources.
5. It specifies the size of the block that the register uses to record certain information.
6. It changes the requirements for the handling of originals and copies by the register.
7. It requires each plan be microfilmed for archival purposes.
8. It eliminates the requirement for a register to establish standards for making copies of original plans.

Committee Amendment "A" (H-291)

This amendment sets the 20-pound weight for paper as the minimum weight for recording plans at the county registries of deeds. The amendment requires that a digital image be at least 300 dots per inch or 300 pixels per inch. The amendment retains the last paragraph of the Maine Revised Statutes, Title 33, section 652 in current law, which regards standards for the reproduction of copies.

Enacted Law Summary

Public Law 2019, chapter 439 requires plans recorded with the registry of deeds and dated on or after January 1, 2020, be submitted on white paper with a minimum weight of 20 pounds. It requires that the plans be rolled and not folded. It requires the registry of deeds create a digital image of such plans at a minimum of 300 dots per inch or 300 pixels per inch and maintain a copy of public inspection in paper or digital image form. It requires each plan be microfilmed for archival purposes.

Joint Standing Committee on State and Local Government

LD 1394 Resolve, To Direct the Department of Administrative and Financial Services To Conduct a Surplus Property Inventory

RESOLVE 62

<u>Sponsor(s)</u>	<u>Committee Report</u>	<u>Amendments Adopted</u>
MORALES V	OTP-AM	H-263

This resolve directs the Department of Administrative and Financial Services to conduct an inventory of surplus state-owned land and structures pursuant to the authority and process established in the Maine Revised Statutes, Title 5, section 1742, subsection 23 and to work with the Maine State Housing Authority to determine suitability of identified surplus land and structures for development of affordable housing. It directs the department to report to the Joint Standing Committee on Labor and Housing regarding the inventory and to make recommendations regarding affordable housing by February 1, 2020.

Committee Amendment "A" (H-263)

This amendment removes an inaccurate clause from the preamble. It adds a requirement that the Department of Administrative and Financial Services provide an inventory of surplus state-owned land and structures to the Maine State Housing Authority. The amendment also provides the Joint Standing Committee on State and Local Government with the option to introduce a bill in the Second Regular Session of the 129th Legislature related to the resolve.

Enacted Law Summary

Resolve 2019, chapter 62 requires the Department of Administrative and Financial Services to:

1. Conduct an inventory of surplus state-owned land and structures;
2. Provide the inventory to and consult with the Maine State Housing Authority to determine the suitability of surplus land and structures for use in the development of affordable housing; and
3. Provide a report on the outcomes of the inventory and recommendations regarding affordable housing to the Joint Standing Committee on Labor and Housing and the Joint Standing Committee on State and Local Government by February 1, 2020.

The Joint Standing on State and Local Government may introduce legislation on the subject matter of the resolve in the Second Regular Session of the 129th Legislature.

LD 1415 An Act To Improve the Laws Regarding Discontinued and Abandoned Roads

CARRIED OVER

<u>Sponsor(s)</u>	<u>Committee Report</u>	<u>Amendments Adopted</u>
NADEAU C DIAMOND B		

This bill eliminates that presumption of discontinuation by abandonment of town or county public ways effective January 1, 2020. This bill adds a provision clarifying that the discontinuation process established in the Maine Revised Statutes, Title 26, section 3026-A is available. This bill amends the filing required by the clerk of a municipality following the determination of discontinuance by abandonment of a town way to require that the record filed with the registry of deeds include the evidence used by the municipality to make the determination of discontinuation by abandonment and the effective date of that determination.

Joint Standing Committee on State and Local Government

This bill was carried over to any special or regular session, or both, of the 129th Legislature by joint order, H.P. 1322.

LD 1427 An Act To Amend the Legislative Expense Reimbursement ONTP

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

This bill changes, beginning with the 130th Legislature, the per diem housing allowance for Legislators from a set amount of \$38 per day to an amount that is established annually by the Legislative Council based on the average rate of lodging in the Augusta area.

LD 1439 An Act To Ensure Quality, Safety and Accountability on Public Construction Projects ONTP

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

This bill encourages the State to use project labor agreements for large-scale state-funded construction projects of \$10,000,000 or more. A project labor agreement is a prehire collective bargaining agreement with one or more labor unions that establishes the terms and conditions of employment for a specific construction project.

LD 1455 An Act To Change the Name of Township 17, Range 3 to Van Buren Cove P & S 10 EMERGENCY

<u>Sponsor(s)</u>	<u>Committee Report</u>	<u>Amendments Adopted</u>
MARTIN D JACKSON T	OTP-AM	H-338 S-197 CLAXTON N

This bill authorizes the Aroostook County Board of Commissioners to seek approval from the residents of Township 17, Range 3, WELS, to rename the township to Van Buren Cove.

Committee Amendment "A" (H-338)

This amendment incorporates a fiscal note.

Senate Amendment "A" (S-197)

This amendment adds a mandate preamble.

Enacted Law Summary

Private and Special Law 2019, chapter 10 requires the Aroostook County Board of Commissioners hold a referendum within 6 months of adjournment of the First Regular Session of the 129th Legislature. The referendum asks the voters of Township 17, Range 3, WELS whether to change the name to Van Buren Cove.

Private and Special Law 2019, chapter 10 was enacted as an emergency measure effective June 14, 2019.

Joint Standing Committee on State and Local Government

LD 1458 An Act To Protect Taxpayers in the Privatization of State Services

CARRIED OVER

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

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. The Attorney General performs a review to determine that all of the requirements of the bidding process and privatization contract have been met.

This bill was carried over to any regular or special session, or both, of the 129th Legislature by joint order, H.P. 1322.

**LD 1462 RESOLUTION, Proposing an Amendment to the Constitution of Maine
To Provide 4-year Terms for Senators and To Set Term Limits for
Legislators**

ONTP

<u>Sponsor(s)</u>	<u>Committee Report</u>	<u>Amendments Adopted</u>
CARPENTER M HARNETT T	ONTP	

This resolution proposes to amend the Constitution of Maine to change the term of office for State Senators from 2 years to 4 years and change the number of consecutive years members of the State Senate and House of Representatives may serve from 8 years to 12 years.

**LD 1470 An Act To Allow the Prohibition of Weapons at Public Proceedings and
Voting Places**

**Accepted Majority
(ONTP) Report**

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

Joint Standing Committee on State and Local Government

This bill allows a political subdivision to prohibit the carrying of dangerous weapons at public proceedings and at voting places. It provides an exception to allow the carrying of a handgun by an on-duty law enforcement officer. It defines "political subdivision" as any municipality, plantation, county, quasi-municipal corporation or special purpose district, including, but not limited to, any water district, sanitary district, hospital district, municipal transmission and distribution utility and school administrative unit.

Committee Amendment "A" (S-249)

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

This amendment was not adopted.

LD 1476 An Act To Clarify Recounts in Municipal Elections

PUBLIC 288

<u>Sponsor(s)</u>	<u>Committee Report</u>	<u>Amendments Adopted</u>
HANDY J	OTP-AM	H-421

This bill repeals the law governing a municipal candidate's inspection of ballots and incoming voting lists and amends the law governing the municipal referendum recount procedure. It sets out: a method to establish official representatives of both sides of a referendum issue; the date of the recount; the method of counting the votes; the availability of election materials for inspection; the resolution of disputed ballots; the resealing of recounted ballots; and the certification of the election results.

Committee Amendment "A" (H-421)

This amendment strikes everything after the enacting clause. It repeals and replaces Maine Revised Statutes, Title 30-A, section 2531-B, Recount of an election for office. Municipalities are given the option of a recount process other than that set out in Maine Revised Statutes, Title 21-A, section 737-A. It amends the referendum recount procedures in Maine Revised Statutes Title 30-A, section 2532 by establishing a process to identify the official representative of the voters seeking a referendum recount and an official representative of those opposed to the referendum recount.

Enacted Law Summary

Public Law 2019, chapter 288 sets out a process for municipalities to follow for recounts of an election for office. It provides a process for municipalities to follow to identify an official representative for those requesting a referendum recount and those opposed to a referendum recount.

LD 1489 RESOLUTION, Proposing an Amendment to the Constitution of Maine Regarding the Election of Senators

ONTP

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

This resolution proposes to amend the Constitution of Maine to reduce the size of the Senate from no more than 35 members to 32 members as a result of reapportioning to two Senators per county. The resolution also requires the redrawing of district lines in 2022. The resolution increases the Senate term from two to four years.

Joint Standing Committee on State and Local Government

**LD 1517 An Act To Facilitate the Deployment of Small Wireless Facilities in
Maine**

PUBLIC 223

<u>Sponsor(s)</u>	<u>Committee Report</u>	<u>Amendments Adopted</u>
PIERCE T BREEN C	OTP-AM	H-363

This bill provides that a small wireless facility must be a permitted use within the public right-of-way subject to any duly adopted, nondiscriminatory conditions otherwise applicable to permitted uses within the municipality and consistent with state and federal law, including, without limitation, any permitting requirements in the Maine Revised Statutes, Title 35-A, chapter 25.

Committee Amendment "A" (H-363)

This amendment states that small wireless facilities are subject to permitting requirements and duly adopted nondiscriminatory conditions otherwise applicable to permitted uses within the municipality. This amendment clarifies that this legislation does not alter a franchise agreement between a cable television company and a municipality.

Enacted Law Summary

Public Law 2019, chapter 223 provides that a small wireless facility must be a permitted use within the public right-of-way, subject to permitting requirements and duly adopted, nondiscriminatory conditions otherwise applicable to permitted uses.

**LD 1536 An Act To Require Municipalities To Maintain Access on Public
Rights-of-way**

ONTP

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

This bill:

1. Provides that when a municipality discontinues a road it may not retain a public easement if the municipal officers verify that private easements for the purpose of allowing travel along the way for all abutting property owners have been filed with the registry of deeds. If the municipal officers are unable to verify those easements, they may discontinue the road only if a public easement is retained and the public use for which the easement is retained is specified. If the municipality retains a public easement, the municipality must provide sufficient public maintenance of the public easement to allow the specified use;
2. Modifies the road abandonment law to provide that a presumption of abandonment of a way is fully rebutted and removed by evidence that records maintained by the Department of Transportation indicate that a municipality received funds under the Maine Revised Statutes, Title 23, chapter 19, subchapter 6 based on any mileage of the way during any portion of the 30 or more consecutive years of apparent discontinuance;
3. Modifies the road abandonment law to provide that a municipality may not intentionally cease to maintain a way as a means of creating a presumption of abandonment and a presumption of abandonment is fully rebutted and removed by evidence that a municipality intentionally ceased maintenance as a means of creating a presumption of abandonment;
4. Modifies the road abandonment law to provide that a municipality may not assert a presumption of abandonment

Joint Standing Committee on State and Local Government

for any way that was discontinued prior to September 3, 1965 that resulted in a public easement;

5. Moves a provision of law relating to the removal of snow fences along public highways from a section relating to mail routes to the section of law relating to snow removal;

6. Requires a town to maintain any public right-of-way used as part of a United States postal route in passable condition for postal service delivery except that if the postal service route is seasonal, the right-of-way must be maintained for the applicable season; and

7. Provides that a failure of a town to meet the snow removal and other maintenance requirements of Maine law is deemed a failure to maintain a way under Maine Revised Statutes, Title 23, chapter 313 and the actions and remedies specified in sections 3651 to 3655 of that chapter apply to such a failure.

LD 1541 An Act To Establish "Ballad of the 20th Maine" as the Official State PUBLIC 250
Ballad

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

This bill establishes the "Ballad of the 20th Maine" as the official ballad of the State.

Enacted Law Summary

Public Law 2019, chapter 250 establishes the official ballad of the State is the "Ballad of the 20th Maine" as recorded and performed by the band The Ghost of Paul Revere.

LD 1553 An Act Directing That the Towns Constituting Hospital Administrative P & S 5
District No. 4 Hold a Vote on the Proposed Merger with Northern Light EMERGENCY
Health

<u>Sponsor(s)</u>	<u>Committee Report</u>	<u>Amendments Adopted</u>
DAVIS P HIGGINS N	OTP-AM	S-63

This bill requires that, notwithstanding any applicable notice requirements, each of the towns of Abbot, Atkinson, Bradford, Cambridge, Dexter, Dover-Foxcroft, Guilford, Milo, Monson, Parkman, Sangerville, Sebec and Willimantic hold an advisory vote no later than April 30, 2019 on the proposed merger of Hospital Administrative District No. 4 with Northern Light Health. Unless a town's charter otherwise provides, the vote must be taken at a town meeting. The results of the vote in each town must be declared by the municipal officers of the town and transmitted to the board of directors of Hospital Administrative District No. Four.

Committee Amendment "A" (S-63)

This amendment changes the date for the advisory vote from April 30, 2019 to May 7, 2019, adds a mandate preamble to the bill and corrects the date of the merger agreement.

Enacted Law Summary

Private and Special Law 2019, chapter 5 mandates that each of the towns comprising Hospital Administrative District No. 4 hold an advisory vote of the inhabitants by May 7, 2019 to determine whether they favor the merger of Hospital Administrative District No. 4 with Northern Light Health in accordance with the March 19, 2019 agreement and plan of merger.

Joint Standing Committee on State and Local Government

Private and Special Law 2019, chapter 5 was enacted as an emergency measure effective April 25, 2019.

LD 1568 An Act Authorizing the Deorganization of Magalloway Plantation

P & S 13

<u>Sponsor(s)</u>	<u>Committee Report</u>	<u>Amendments Adopted</u>
HEAD F DOW D	OTP-AM	H-339

This bill provides for the deorganization of Magalloway Plantation in Oxford County, subject to approval at local referendum and execution of a withdrawal agreement from Regional School Unit No. 78.

Committee Amendment "A" (H-339)

This amendment incorporates a fiscal note.

Enacted Law Summary

Private and Special Law 2019, chapter 13 authorizes the deorganization of Magalloway Plantation in accordance with the deorganization plan dated October 23, 2018 provided a majority of legal voters of the plantation approve the deorganization by ballot at the next general election to be held in November.

LD 1581 An Act To Restore County Tax Appropriation Integrity

ONTP

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

This bill provides specificity for the use and expenditure of funds by county governments by:

1. Limiting the payment of expenditures for the priority-designated social service of transportation to transportation for access to health care services;
2. Limiting grants that are paid to agencies outside of the regular county departments to those that have been statutorily authorized;
3. Requiring the Office of the State Auditor, when conducting an audit of a county, to report any transaction not authorized by statute to the district attorney for that county; and
4. Specifying that the ability of county commissioners to approve county expenditures is limited to those expenditures that are statutorily authorized.

LD 1587 An Act To Amend the Laws Governing Nominations of County Commissioners, the Terms of County Commissioners and County Commissioner Districts

ONTP

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

Joint Standing Committee on State and Local Government

This bill amends the provisions regarding the election and appointment of county commissioners in the following ways:

1. It requires that when a party is eligible to choose a candidate or nominee for a primary, general or special election for county commissioner by political committee, the members of the county political committee who reside within the boundaries of the district subject to the election make the choice of candidate or nominee;
2. It clarifies that when there is a vacancy during the term of office of a county commissioner prior to the general election held in the second year of the term, a special election must be held to elect a new county commissioner for the last two years of the term, and the election must be held within the boundaries that existed at the time of the original election for that term;
3. It requires that when the law provides that a county commissioner appointed by the Governor to fill a vacancy must be enrolled in the same political party as the commissioner whose term is vacant, the Governor is required to choose from any recommendations submitted by the members of the county committee of the political party from which the appointment is to be made who reside within the boundaries of the district with the vacancy that existed at the time of the initial election for that term;
4. It requires that the apportionment plan of county districts following a decennial census takes effect the second year after the decennial census for the year 2020 and every 20 years thereafter and the plan takes effect on the fourth year after the decennial census for the year 2030 and every 20 years thereafter; and
5. It amends the provisions creating each county's commissioner districts to eliminate staggered terms of commissioners so that, beginning in 2022, each four-year commissioner term expires in a year in which there is a gubernatorial election.

LD 1667 An Act To Amend the Laws Governing the State Compensation Commission

**PUBLIC 384
EMERGENCY**

<u>Sponsor(s)</u>	<u>Committee Report</u>	<u>Amendments Adopted</u>
BABBIDGE C GRATWICK G	OTP-AM	H-422

This bill increases the annual salary of the Governor to \$141,000 beginning in January 2023. It provides that beginning in January 2027, whenever a new Governor takes office, that Governor's annual salary must be adjusted by the percent change in the Consumer Price Index during the term of office of that Governor's predecessor subject to a limit of 3% per year.

This bill increases the annual salary of members of the Legislature to \$23,500 beginning in December 2022. The bill requires the Governor appoint two members of the State Compensation Commission and removes language that provides that one member is appointed by a majority of the members of the commission. The bill increases the term of Commission members to four years and provides for staggered terms.

Committee Amendment "A" (H-422)

This amendment strikes the bill. It adds an emergency preamble and clause. It amends the statutory reporting requirements of the State Compensation Commission by eliminating alternate year interim reports and adding a provision that the final report, due January 15th of every even-numbered year, be submitted to the joint standing committee of the Legislature having jurisdiction over state and local government. The amendment authorizes the joint standing committee of the Legislature having jurisdiction over state and local government matters to introduce legislation based on the commission's report.

Joint Standing Committee on State and Local Government

Enacted Law Summary

Public Law 2019, chapter 384 requires the State Compensation Commission submit a report by January 15th of every even-numbered year to the Legislature and the joint standing committee of the Legislature having jurisdiction over state and local government matters. In the last year of a gubernatorial term the report must include recommendations on compensation of the Governor. The joint standing committee of the Legislature having jurisdiction over state and local government matters may introduce legislation based upon the report of the commission.

Public Law 2019, chapter 384 was enacted as an emergency measure effective June 19, 2019.

LD 1697 An Act Regarding the Timeliness of Payments to the State

PUBLIC 326

<u>Sponsor(s)</u>	<u>Committee Report</u>	<u>Amendments Adopted</u>
MARTIN D CLAXTON N	OTP-AM	H-479

This bill requires certain payments due the State and made through the use of automated procedures, electronic processes and computer-driven technology be deposited in the State Treasury within three business days of the date of the transaction initiated by the obligor. It allows the Treasurer of State and the State Controller to adopt routine technical rules outlining procedures for the use of these payment methods. It prohibits any rule adopted from waiving prohibitions against deductions on account of salaries, fees, costs, charges, expenses, refunds, claims or demands of any description whatsoever.

Committee Amendment "A" (H-479)

This amendment clarifies that the bill applies to payments from departments and agencies of the State to the State Treasury. It removes the three-day requirement for payments and directs the Treasurer of State and the State Controller to adopt major substantive rules outlining procedures for the use of automated procedures, electronic processes and computer-driven technology.

Enacted Law Summary

Public Law 2019, chapter 326 directs state agencies and departments that make payment to the State Treasury through the use of automated procedures, electronic processes, and computer-driven technology make such payments in accordance with requirements established by the Treasurer of the State and the State Controller through major substantive rulemaking.

LD 1708 An Act To Provide for the Merger of Hospital Administrative District No. 4 into MRH Corp., a Maine Nonprofit, Nonstock Private Corporation

**P & S 14
EMERGENCY**

<u>Sponsor(s)</u>	<u>Committee Report</u>	<u>Amendments Adopted</u>
HIGGINS N DAVIS P	OTP-AM	H-537 S-367 BREEN C

This bill authorizes the merger of Mayo Regional Hospital into a new entity to be known as MRH Corp., a Maine nonprofit, nonstock private corporation that has as its sole member Eastern Maine Healthcare Systems. Upon the effective date of the merger, the district is dissolved and Private and Special Law 1973, chapter 76 is repealed.

Joint Standing Committee on State and Local Government

Committee Amendment "A" (H-537)

This amendment clarifies that Hospital Administrative District No. 4 is the party to the merger and that the district's quasi-municipal rights, privileges and immunities do not transfer to the new nonprofit corporation created by the merger. It clarifies that upon the merger, Mayo Regional Hospital is no longer a municipally funded hospital under the Maine Revised Statutes, Title 36, section 2891. It adds reference to the advisory vote of the district inhabitants required by Private and Special Law 2019, chapter 5. It conditions the merger on the assumption by the new corporation of all the obligations and liabilities of the district. It removes the exemption from antitrust laws and stipulates that the merger is subject to the certificate of need process outlined in Maine Revised Statutes, Title 22, chapter 103-A. It requires the Secretary of State to notify the Joint Standing Committee on State and Local Government when the articles of merger have been filed with and accepted by the Secretary of State. It requires the joint standing committee, once notified that the articles of merger have been accepted, to introduce legislation to repeal the district charter and remove reference to Mayo Regional Hospital from Maine's tax code. The amendment also adds an appropriations and allocations section.

Senate Amendment "A" To Committee Amendment "A" (S-367)

This amendment strikes and replaces the appropriations and allocations section.

Enacted Law Summary

Private and Special Law 2019, chapter 14 authorizes the merger of Hospital Administrative District No. 4 into MRH Corp., a Maine nonprofit, nonstock private corporation that has as its sole member Eastern Maine Healthcare Systems. It provides that MRH Corp assumes all the obligations and liabilities of the district and that the district's quasi-municipal rights, privileges and immunities do not transfer to MRH Corp. It requires the Secretary of State notify the joint standing committee on State and Local Government when the articles of merger have been filed with and accepted by the Secretary of State. Once notified by the Secretary of State the joint standing committee will introduce legislation to repeal the district charter, Private and Special Law 1973, chapter 76, and remove reference to Mayo Regional Hospital from Maine Revised Statutes, Title 36, section 2891.

Private and Special Law 2019, chapter 14 was enacted as an emergency measure effective June 28, 2019.

LD 1733 An Act To Ensure Comprehensive Interdepartmental Planning, Coordination and Collaboration on Aging Policy

CARRIED OVER

Sponsor(s)

FAY J

Committee Report

Amendments Adopted

This bill creates the position of Director of Aging in the Governor's Office of Policy and Management to oversee the planning and policy development for all functions and activities conducted or supported in the State that relate to aging, older adults and family care partners of older adults, including, but not limited to, promoting intergovernmental collaboration in meeting established aging policy objectives and managing the coordination of multiple-agency initiatives related to policy objectives. The bill amends the requirements for preparing and implementing a comprehensive state plan relating to Maine's aging population and incapacitated and dependent adults. The bill establishes a State Commission on Aging to advise the Governor, Legislature and state agencies on planning, research and intergovernmental cooperation related to the needs of older adults in the State. The bill authorizes the Revisor of Statutes, in preparing legislation, to change any terms that refer to "elderly," "elder" or "senior" individuals to refer instead to "older" individuals.

This bill was carried over to any special or regular session, or both, of the 129th Legislature by joint order, H.P. 1322.

Joint Standing Committee on State and Local Government

**LD 1753 An Act Amending the Charter of the Boothbay-Boothbay Harbor
Community School District**

P & S 11

<u>Sponsor(s)</u>	<u>Committee Report</u>	<u>Amendments Adopted</u>
STOVER H	OTP-AM	H-486

This bill amends the charter of the Boothbay-Boothbay Harbor Community School District to: require that bond issues in the principal amount of \$250,000 or greater go to a referendum vote; to add a competitive bidding requirement for district procurements of \$20,000 or greater; and increase the cap on contributions to the capital reserve fund.

Committee Amendment "A" (H-486)

The amendment clarifies that the annual allocation to the capital reserve fund after fiscal year 2020 must be the greater of the previous year's allocation or that year's allocation adjusted by the percentage change in the Consumer Price Index for the most recently concluded calendar year.

Enacted Law Summary

Private and Special Law 2019, chapter 11 requires voter approval for an issue of bond authorized by the Boothbay-Boothbay Harbor Community School District trustees in an amount equal to or greater than \$250,000. It requires a competitive bidding process be used for any procurement of the district in an amount equal to or greater than \$20,000. It increases to \$140,000 the maximum annual allocation into the capital reserve fund, starting in fiscal year 2020. Each year thereafter, the capital reserve fund set aside must equal the greater of the prior year's set-aside amount or the prior year's set aside amount adjusted by the percentage change in the Consumer Price index for the most recently concluded calendar year.

LD 1812 An Act To Make Necessary Changes to State Law

CARRIED OVER

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

This bill is a concept draft pursuant to Joint Rule 208. This bill proposes to make necessary changes to state law.

This bill was carried over to any special or regular session, or both, of the 129th Legislature by joint order, H.P. 1322.

LD 1814 An Act To Amend the Laws Regarding the Legislature

CARRIED OVER

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

This bill is a concept draft pursuant to Joint Rule 208. This bill proposes to amend certain laws affecting the operations of the Legislature.

This bill was carried over to any special or regular session, or both, of the 129th Legislature by joint order, H.P. 1322.

Joint Standing Committee on State and Local Government

LD 1830 An Act Establishing the Office of Policy Innovation and the Future

PUBLIC 383

<u>Sponsor(s)</u>	<u>Committee Report</u>	<u>Amendments Adopted</u>
MARTIN D CLAXTON N	OTP-AM	H-564

This bill eliminates the Office of Policy and Management and establishes the Office of Policy Innovation and the Future. The Office of Policy Innovation and the Future will support the creation of a coherent system of policy planning and coordinated implementation as one function and responsibility of the executive branch of State Government, serve as a research, advisory, consultative, coordinating and administrative agency and advance policies that support a sustainable future for Maine's people, communities, natural resources, physical infrastructure, industries, businesses and institutions.

Committee Amendment "A" (H-564)

This amendment reallocates the language from the bill into the Maine Revised Statutes, Title 5, chapter 310. It repeals Maine Revised Statutes, Title 5, section 3108, leaving the Office of Policy Innovation and the Future subject to the Freedom of Access Act.

Enacted Law Summary

Public Law 2019, chapter 383 eliminates the Office of Policy and Management and establishes the Office of Policy Innovation and the Future to support the creation of a coherent system of policy planning and coordinated implementation as one function and responsibility of the executive branch of State Government, serve as a research, advisory, consultative, coordinating and administrative agency and advance policies that support a sustainable future for Maine's people, communities, natural resources, physical infrastructure, industries, businesses and institutions.

Joint Standing Committee on State and Local Government

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Enacted

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LD 940	An Act To Increase the Number of Franklin County Commissioners	PUBLIC 362
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LD 1581	An Act To Restore County Tax Appropriation Integrity	ONTP
LD 1587	An Act To Amend the Laws Governing Nominations of County Commissioners, the Terms of County Commissioners and County Commissioner Districts	ONTP

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Not Enacted

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Enacted

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Local Government - General

Enacted

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**LD 90 An Act To Amend the Law Governing the Membership of the Town of
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**LD 655 An Act To Allow Municipalities To Send Separate Tax Bills for
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LD 489 An Act To Allow Municipalities To Enforce New Noise Ordinances on Existing Shooting Ranges ONTP

LD 948 An Act To Restrict Ordinances That Affect the Posting of Property for Municipal and Private Land ONTP

LD 953 An Act To Enact a Vehicle Use Ordinance for Monhegan Plantation ONTP

Local Government - Roads

Not Enacted

LD 1536 An Act To Require Municipalities To Maintain Access on Public Rights-of-way ONTP

Miscellaneous

Enacted

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LD 1553	An Act Directing That the Towns Constituting Hospital Administrative District No. 4 Hold a Vote on the Proposed Merger with Northern Light	P & S 5 EMERGENCY
LD 1708	An Act To Provide for the Merger of Hospital Administrative District No. 4 into MRH Corp., a Maine Nonprofit, Nonstock Private Corporation	P & S 4 EMERGENCY
LD 1753	An Act Amending the Charter of the Boothbay-Boothbay Harbor Community School District	P & 11
 <u>Not Enacted</u>		
LD 481	An Act To Allow the Expansion of the Types of Newspapers That Qualify as Legal Notice Publishers by Removing the 2nd Class Postal Matter Requirement	ONTP
LD 806	An Act To Clarify the Definition of “Ancient Burying Ground”	ONTP
LD 933	Resolve, Authorizing Certain Persons To Sue the Town of Kittery	Leave to Withdraw Pursuant to Joint Rule 310
LD 1054	An Act To Clarify the Use of Burying Grounds and Family Burying Grounds	CARRIED OVER
LD 1151	An Act To Ensure Consistency in Commercial Real Estate Law by Restoring Due Diligence Responsibility to the Buyer	Majority (ONTP) Report
LD 1176	An Act Regarding Caretakers of Ancient Burying Grounds and Access to Ancient Burying Grounds	ONTP
LD 1415	An Act To Improve the Laws Regarding Discontinued and Abandoned Roads	CARRIED OVER
LD 1470	An Act To Allow the Prohibition of Weapons at Public Proceedings and Voting Places	Majority (ONTP) Report

LD 1812 An Act To Make Necessary Changes to State Law CARRIED OVER

Public Employment - Compensation

Not Enacted

LD 1065 An Act To Expand Health Insurance Coverage To Certain State Employees CARRIED OVER

Public Employment - Hiring

Enacted

LD 170 An Act To Prohibit Questions Regarding Criminal History on Certain State Employment Applications PUBLIC 22

LD 1340 An Act To Require Criminal History Record Checks for All Prospective and Current Staff Members of the Office of the State Auditor PUBLIC 416 EMERGENCY

Public Purchasing and Contracting

Not Enacted

LD 226 An Act To Require the Use of Preapproved Subcontractors for Publicly Funded Construction Projects ONTP

LD 1086 An Act To Promote the Goals of the Low-emission Vehicle Program by Requiring That New Vehicle Purchases for the State Fleet Be Composed of a Minimum Percentage of Zero-emission Vehicles ONTP

LD 1280 An Act To Establish the Maine Buy American and Build Maine Act CARRIED OVER

LD 1439 An Act To Ensure Quality, Safety and Accountability on Public Construction Projects ONTP

LD 1458 An Act To Protect Taxpayers in the Privatization of State Services CARRIED OVER

Rulemaking

Enacted

LD 285 An Act To Provide for Legislative Review of Federally Mandated Major Substantive Rules under the Maine Administrative Procedure Act PUBLIC 29

LD 1011 An Act To Clarify Filing Requirements for Proposed Rules PUBLIC 146

State Government - Agencies

Enacted

LD 521	An Act To Amend the Archives and Records Management Law	PUBLIC 50
LD 1697	An Act Regarding the Timeliness of Payments to the State	PUBLIC 326
LD 1830	An Act Establishing the Office of Policy Innovation and the Future	PUBLIC 383

Not Enacted

LD 1733	An Act To Ensure Comprehensive Interdepartmental Planning, Coordination and Collaboration on Aging Policy	CARRIED OVER
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State Government - Constitutional Officers

Not Enacted

LD 453	An Act To Ensure the Integrity and Accountability of Persons Who Are Elected to Public Office	Majority (ONTP) Report
LD 1328	An Act To Increase the Salaries of the Governor and Legislators	ONTP
LD 1379	An Act To Increase the Annual Salary of the Governor and to Increase the Expense Allowance Paid to Legislators	ONTP
LD 1427	An Act To Amend the Legislative Expense Reimbursement	ONTP
LD 1462	RESOLUTION, Proposing an Amendment to the Constitution of Maine To Provide 4-year Terms for Senators and To Set Term Limits for Legislators	ONTP
LD 1489	RESOLUTION, Proposing an Amendment to the Constitution of Maine Regarding the Election of Senators	ONTP

State Government - General

Enacted

LD 1209	An Act To Require Legislative Hearings on Citizen-initiated Legislation	PUBLIC 152
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Not Enacted

LD 144	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	ONTP
LD 370	An Act To Facilitate State Employee Service in the Legislature	ONTP
LD 592	Resolve, To Establish a Background Check Consolidation Commission	CARRIED OVER
LD 730	An Act To Create the Substance Use Disorder Cabinet	ONTP
LD 749	An Act To Increase the Transparency of the “Maine Open Checkbook” Website	ONTP
LD 867	An Act To Require Public Health Impact Statements for Certain Legislation	ONTP
LD 1302	An Act To Remove Vacancy Provisions for Certain Positions in county Government	Majority (ONTP) Report

State Government - Holidays and Designations

Enacted

LD 179	An Act To Change the Name of Columbus Day to Indigenous Peoples Day	PUBLIC 59
LD 687	Resolve, To Create a Flag To Recognize the Bicentennial of the State	RESOLVE 22
LD 885	An Act To Adopt Eastern Daylight Time Year-round	PUBLIC 268
LD 1541	An Act To Establish “Ballad of the 20th Maine” as the Official State Ballad	PUBLIC 250

Not Enacted

LD 572	An Act Regarding the State Bird	ONTP
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State Government - Legislature

Enacted

LD 257	An Act To Help Ensure That the Legislature Has the Information Necessary To Do the Work of the People of Maine	PUBLIC 136
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LD 825	An Act To Change the Harassment Prevention Training Required for Legislators, Legislative Staff and Lobbyists	PUBLIC 41
LD 1667	An Act To Amend the Laws Governing the State Compensation Commission	PUBLIC 384 EMERGENCY

Not Enacted

LD 58	RESOLUTION, Proposing an Amendment to the Constitution of Maine To Extend the Terms of Legislators to 4 years	Majority (ONTP) Report
LD 928	An Act To Create a Process To Preempt the Implementation of Powers Delegated by the Legislature	ONTP
LD 1814	An Act To Amend the Laws Regarding the Legislature	CARRIED OVER

State Government - Property

Enacted

LD 744	Resolve, Authorizing the Commissioner of Administrative and Financial Services To Convey the Interests in Certain Real Property Located in East Millinocket	RESOLVE 76
LD 1300	Resolve, To Transfer the Guilford Butler School Property to the Town of South Thomaston	RESOLVE 91 EMERGENCY
LD 1394	Resolve, To Direct the Department of Administrative and Financial Services To Conduct Surplus Property Inventory	RESOLVE 62

Not Enacted

LD 391	Resolve, To Establish the Study Committee To Develop a Disposition Plan for Future Surplus State Property in York County	ONTP
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Unorganized Territory

Enacted

LD 1455	An Act To Change the name of Township 17, Range 3 to Van Buren Cove	P & S 10 EMERGENCY
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