

MAINE STATE LEGISLATURE

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STATE OF MAINE
128TH LEGISLATURE
FIRST REGULAR SESSION



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

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

August 2017

STAFF:

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

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STATE OF MAINE

128TH LEGISLATURE
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LEGISLATIVE DIGEST OF BILL SUMMARIES AND ENACTED LAWS

This *Legislative Digest of Bill Summaries and Enacted Laws* contains summaries of all LDs and adopted amendments and all laws enacted or finally passed during the First Regular Session of the 128th Maine Legislature.

The *Digest* is arranged alphabetically by committee and within each committee by Legislative Document (LD) number. The committee report(s), prime sponsor and lead co-sponsor(s), if designated, are listed below each LD title. All adopted amendments are summarized and listed by paper number. A subject index is included with each committee. An appendix provides a summary of relevant session statistics.

Final action on each LD is noted to the right of the LD title. The following describes the various final actions.

CARRIED OVER..... carried over to a subsequent session of the Legislature
CON RES XXX..... chapter # of constitutional resolution passed by both houses
CONF CMTE UNABLE TO AGREE..... Committee of Conference unable to agree; legislation died
DIED BETWEEN HOUSES..... House & Senate disagreed; legislation died
DIED IN CONCURRENCE..... defeated in each house, but on different motions; legislation died
DIED ON ADJOURNMENT..... action incomplete when session ended; legislation died
EMERGENCY..... enacted law takes effect sooner than 90 days after session adjournment
FAILED, EMERGENCY ENACTMENT or FINAL PASSAGE..... emergency failed to receive required 2/3 vote
FAILED, ENACTMENT or FINAL PASSAGE..... failed to receive final majority vote
FAILED, MANDATE ENACTMENT..... legislation proposing local mandate failed required 2/3 vote
HELD BY GOVERNOR..... Governor has not signed; final disposition to be determined at subsequent session
LEAVE TO WITHDRAW..... sponsor's request to withdraw legislation granted
NOT PROPERLY BEFORE THE BODY..... ruled out of order by the presiding officer; legislation died
INDEF PP..... indefinitely postponed; legislation died
ONTP, ACCEPTED, MAJORITY, MINORITY or REPORT X... ought-not-to-pass report accepted; legislation died
P&S XXX..... chapter # of enacted private & special law
PUBLIC XXX..... chapter # of enacted public law
RESOLVE XXX..... chapter # of finally passed resolve
VETO SUSTAINED..... Legislature failed to override Governor's veto

The effective date for non-emergency legislation enacted in the First Regular Session of the 128th Legislature is Wednesday, November 1, 2017. The effective date for legislation enacted as an emergency measure may be found in the enacted law summary for that legislation.

Joint Standing Committee on State and Local Government

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

Accepted Majority (ONTP) Report

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

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

Committee Amendment "A" (S-222)

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

This amendment was not adopted.

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

PUBLIC 191

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

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

Committee Amendment "A" (H-243)

This amendment replaces the bill. The amendment:

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

Enacted Law Summary

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