

# MAINE STATE LEGISLATURE

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**STATE OF MAINE**  
128<sup>TH</sup> LEGISLATURE  
FIRST SPECIAL, SECOND REGULAR AND SECOND SPECIAL SESSIONS



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

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

October 2018

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# STATE OF MAINE

128<sup>TH</sup> LEGISLATURE

FIRST SPECIAL, SECOND REGULAR AND SECOND SPECIAL SESSIONS



## LEGISLATIVE DIGEST OF BILL SUMMARIES AND ENACTED LAWS

This *Legislative Digest of Bill Summaries and Enacted Laws* contain summaries of all LDs and adopted amendments and all laws enacted or finally passed during the First Special, Second Regular and Second Special Sessions of the 128<sup>th</sup> 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 dates for non-emergency legislation enacted in the First Special, Second Regular or Second Special Sessions of the 128<sup>th</sup> Legislature are: Monday, February 5, 2018; Wednesday, August 1, 2018; and Thursday, December 13, 2018, respectively. 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*

**Committee Amendment "A" (S-387)**

This amendment adds an appropriations and allocations section to the bill.

**Senate Amendment "A" (S-484)**

This amendment requires that lobbyists submit certification of completion of harassment training to the Maine Commission on Governmental Ethics and Election Practices at the time of registration, and directs the commission to reject registrations that do not include certification of completion of training. If completion of the required training prior to registration is not possible due to circumstances that are beyond a lobbyist's control, the commission may provide a limited extension to that lobbyist for completion of the training. This amendment also authorizes the commission to exempt lobbyists with a very limited physical presence in the State House complex from the requirement to complete harassment training prior to registration as lobbyists.

**Enacted Law Summary**

Public Law chapter 443 requires Legislators, legislative staff and lobbyists to attend and complete a course of in-person education and training regarding harassment, including sexual harassment, at the beginning of each regular session of the Legislature. It requires the Legislative Council to develop and implement the course. It requires that lobbyists submit certification of completion of harassment training to the Maine Commission on Governmental Ethics and Election Practices at the time of registration; directs the commission to reject registrations that do not include the training certification; and authorizes the commission to exempt lobbyists with a very limited physical presence in the State House complex from the training requirement.

**LD 1849**

**An Act To Eliminate Inactive Boards and Commissions**

**Died Between Houses**

Sponsor(s)

Committee Report

Amendments Adopted

ONTP  
OTP-AM

This bill was reported out by the committee pursuant to the Maine Revised Statutes, Title 5, section 12006, subsection 2, then referred back to the committee for processing in the normal course. As authorized by the law, and based on information provided by the Secretary of State, the bill eliminates boards and commissions that have not reported on their activities to the Secretary of State for the last two calendar years or have been inactive during the preceding 24 months. The bill also eliminates a statutory reference to the Interagency Review Panel, which was previously eliminated.

This bill eliminates the following boards and commissions:

1. The Advisory Board for the Licensing of Whitewater Guides;
2. The Advisory Committee on Fair Competition with Private Enterprise;
3. The Board of Licensing of Dietetic Practice;
4. The Commercial Fishing Safety Council;
5. The Maine Agricultural Water Management Board;
6. The Maine Biomedical Research Board;
7. The Maine Drug Enforcement Agency Advisory Board;
8. The Maine Quality Forum Advisory Council;
9. The Pollution Prevention and Small Business Assistance Advisory Panel;
10. The Prison Industries Advisory Council;
11. The Sex Offender Management and Risk Assessment Advisory Commission;
12. The State Education and Employment Outcomes Task Force;

***Joint Standing Committee on State and Local Government***

- 13. The Tobacco Prevention and Control Advisory Council;
- 14. The Board of Trustees of the Maine School for Marine Science, Technology, Transportation and Engineering; and
- 15. The St. Croix International Waterway Commission.

**Committee Amendment "A" (H-671)**

This amendment is the minority report of the committee. It removes from the bill the elimination of the following boards and commissions: the Advisory Board for the Licensing of Whitewater Guides, the Advisory Committee on Fair Competition with Private Enterprise, the Maine Agricultural Water Management Board, the Tobacco Prevention and Control Advisory Council, the Board of Trustees of the Maine School for Marine Science, Technology, Transportation and Engineering and the St. Croix International Waterway Commission. The amendment also adds an appropriations and allocations section.

**LD 1850      An Act To Reorganize the Bureau of General Services in the Department of Administrative and Financial Services      Died On Adjournment**

<u>Sponsor(s)</u>	<u>Committee Report</u>	<u>Amendments Adopted</u>
PICKETT R	OTP-AM	H-672

The bill was reported out of committee in the Second Regular Session. It was carried over on the Special Appropriations Table from the Second Regular Session to the next special session by joint order S.P. 748.

This bill was introduced in accordance with Public Law 2017, chapter 284, Part QQQQQ, section 3. The bill removes the Director of the Bureau of General Services from the list of state officials whose salaries are subject to adjustment by the Governor. It removes the authority and responsibility for general services functions and activities in the Department of Administrative and Financial Services from the Bureau of General Services and the Director of the Bureau of General Services and transfers that authority and responsibility to a Bureau of Business Management headed by the Chief Procurement Officer and a Bureau of Real Estate Management headed by the Chief Facilities Officer, a position created by the bill.

The bill removes and corrects references to the Bureau of Purchases, the State Purchasing Agent, the Director of Public Improvements and the Department of Administration, all of which no longer exist as a result of the creation of the Department of Administrative and Financial Services. It includes revision clauses to authorize the Revisor of Statutes to implement any necessary changes in statutory references when updating, publishing or republishing the statutes. The bill also updates an outdated reference to standards for the recycled content of paper and paper products and removes outdated references to the Office of Waste Reduction and Recycling, whose duties have been absorbed by the Department of Environmental Protection.

**Committee Amendment "A" (H-672)**

This amendment incorporates a fiscal note.

**LD 1853      An Act To Ensure the Safe and Consistent Regulation of Pesticides throughout the State by Providing Exemptions to Municipal Ordinances That Regulate Pesticides      Accepted Report A (ONTP)**

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