

# MAINE STATE LEGISLATURE

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L.D. 203

Date: 4/24/17 Majority

(Filing No. H- 76 )

**STATE AND LOCAL GOVERNMENT**

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**STATE OF MAINE  
HOUSE OF REPRESENTATIVES  
128TH LEGISLATURE  
FIRST REGULAR SESSION**

COMMITTEE AMENDMENT "A" to H.P. 159, L.D. 203, Bill, "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"

Amend the bill by striking out everything after the enacting clause and before the summary and inserting the following:

**'Sec. 1. 1 MRSA §151**, as repealed and replaced by PL 2007, c. 129, §1, is repealed and the following enacted in its place:

**§151. Standard time**

**1. Standard time.** The standard time for the State is the time as determined by 15 United States Code, Sections 260 to 267.

**2. Advancement of time.** The State is exempt from the provisions of 15 United States Code, Section 260a providing for an advancement of time during a portion of the year and instead observes Atlantic Standard Time throughout the year without advancement during any period.

**Sec. 2. Secretary of State to monitor legislative activities in Massachusetts and New Hampshire; request that United States Secretary of Transportation place Maine in Atlantic Standard Time Zone.** The Secretary of State shall monitor legislative activities in Massachusetts and New Hampshire regarding placement of those states in the Atlantic Standard Time Zone. If Massachusetts and New Hampshire adopt legislation requiring those states to be placed in the Atlantic Standard Time Zone, the Secretary of State shall submit to the legal voters of this State a referendum question in accordance with section 3.

**Sec. 3. Referendum.** If Massachusetts and New Hampshire adopt legislation requiring those states to be placed in the Atlantic Standard Time Zone, the Secretary of State shall submit to the legal voters of this State a referendum question in accordance with this section. The question must be submitted at the next practicable statewide

**COMMITTEE AMENDMENT**

R.S.

1 election held in November following the adoption of the legislation in both Massachusetts  
2 and New Hampshire.

3 The municipal officers of this State shall notify the inhabitants of their respective  
4 cities, towns and plantations to meet, in the manner prescribed by law for holding a  
5 statewide election, to vote on the following question:

6 "Do you favor having the State seek placement in the Atlantic Standard  
7 Time Zone and ending observance of daylight saving time?"

8 The legal voters of each city, town and plantation shall vote by ballot on this question  
9 and designate their choice by a cross or check mark placed within a corresponding square  
10 below the word "Yes" or "No." The ballots must be received, sorted, counted and  
11 declared in open ward, town and plantation meetings and returns made to the Secretary of  
12 State in the same manner as votes for members of the Legislature. The Governor shall  
13 review the returns. If a majority of the legal votes are cast in favor of the question, the  
14 Governor shall proclaim the result without delay

15 The Secretary of State shall prepare and furnish to each city, town and plantation all  
16 ballots, returns and copies necessary to carry out the purposes of this referendum.

17 **Sec. 4. Further proceedings if referendum passes.** If an election is held  
18 pursuant to section 3 and a majority of the legal votes are cast in favor of the question, the  
19 Secretary of State shall request that the United States Secretary of Transportation place  
20 the State in the Atlantic Standard Time Zone.

21 The Secretary of State shall notify the Revisor of Statutes and the joint standing  
22 committee of the Legislature having jurisdiction over state and local government matters  
23 if the United States Secretary of Transportation approves placement of the State in the  
24 Atlantic Standard Time Zone.

25 **Sec. 5. Contingent effective date.** That section of this Act that repeals and  
26 replaces the Maine Revised Statutes, Title 1, section 151 does not take effect unless the  
27 State is placed by the United States Secretary of Transportation in the Atlantic Standard  
28 Time Zone.'

29 **SUMMARY**

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

32 1. It adds a provision that requires the Secretary of State to monitor legislative  
33 activity in Massachusetts and New Hampshire regarding placement of those states in the  
34 Atlantic Standard Time Zone.

35 2. It provides that if the Atlantic Standard Time Zone is adopted by Massachusetts  
36 and New Hampshire, the Secretary of State must submit to the voters of the State a  
37 referendum question asking voters to choose if the State should seek placement in the  
38 Atlantic Standard Time Zone and opt out of observing daylight saving time.

39 3. It provides that if the referendum question is approved, the Secretary of State is  
40 required to request that the United States Secretary of Transportation place the State in  
41 the Atlantic Standard Time Zone.

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

6           5. The bill proposes to change the law governing periods of closure for hauling  
7 lobster traps. The amendment does not retain that provision.

8   **FISCAL NOTE REQUIRED**

9   **(See attached)**



# 128th MAINE LEGISLATURE

LD 203

LR 1392(02)

## 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

Fiscal Note for Bill as Amended by Committee Amendment *A(H-76)*  
Committee: State and Local Government

Fiscal Note Required: Yes

### Fiscal Note

Contingent current biennium cost increase - General Fund

#### Referendum Costs

Month/Year	Election Type	Question	Length
Nov/Contingent	General	Referendum	Standard

If Massachusetts and New Hampshire adopt placement in the Atlantic Standard Time Zone, the question would be placed on the subsequent November ballot. The Secretary of State's budget includes sufficient funds to accommodate one ballot of average length for the general election in November. If the number or size of the referendum questions requires production and delivery of a second ballot, an additional appropriation of \$107,250 may be required.

#### Fiscal Detail and Notes

Any additional costs to the Department of Secretary of State associated with monitoring legislative activities in Massachusetts and New Hampshire and requesting the United States Secretary of Transportation to place Maine in the Atlantic time zone can be absorbed within existing budgeted resources.