

# MAINE STATE LEGISLATURE

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**STATE OF MAINE**  
127<sup>TH</sup> LEGISLATURE  
FIRST REGULAR SESSION



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

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

August 2015

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# STATE OF MAINE

127<sup>TH</sup> 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 127<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.

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

The effective date for non-emergency legislation enacted in the First Regular Session of the 127<sup>th</sup> Legislature is October 15, 2015. 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*

appropriations and allocations section.

**LD 245      An Act To Rename B Stream in Houlton as Captain Ambrose Bear Stream**

**PUBLIC 12**

<u>Sponsor(s)</u>	<u>Committee Report</u>	<u>Amendments Adopted</u>
BEAR COLLINS	OTP	

This bill requires the Aroostook County Commissioners to rename B Stream in and near the Town of Houlton in Aroostook County to Captain Ambrose Bear Stream, in honor of Captain Ambrose Bear, a Maliseet Indian chief who served in the Revolutionary War. The bill also requires the county commissioners to notify the appropriate authorities and agencies of the name change. The Department of Transportation is required to change any existing road signs designating B Stream to refer to Captain Ambrose Bear Stream. The bill also requires the Department of Inland Fisheries and Wildlife to amend its rules to change the name of B Stream to Captain Ambrose Bear Stream, and it changes the name where the name B Stream is cited in statute.

**Enacted Law Summary**

Public Law 2015, chapter 12 requires the Aroostook County Commissioners to rename B Stream in and near the Town of Houlton in Aroostook County to Captain Ambrose Bear Stream, in honor of Captain Ambrose Bear, a Maliseet Indian chief who served in the Revolutionary War. It also requires the county commissioners to notify the appropriate authorities and agencies of the name change. The Department of Transportation is required to change any existing road signs designating B Stream to refer to Captain Ambrose Bear Stream. Public Law 2015, chapter 12 also requires the Department of Inland Fisheries and Wildlife to amend its rules to change the name of B Stream to Captain Ambrose Bear Stream, and it changes the name where the name B Stream is cited in statute.

**LD 258      An Act Regarding Posting of Legal Notices and Legal Advertising**

**Accepted Majority (ONTP) Report**

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

This bill clarifies that legal notices may be placed in newspapers offered to the public for free as long as all other requirements for an eligible newspaper are met.

**LD 331      An Act To Quantitatively Evaluate State Contracts**

**Accepted Majority (ONTP) Report**

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

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

This bill proposes to create a process to quantitatively evaluate a state contract to determine the total value of the contract to the State using multipliers for factors such as the amount of raw materials from in-state sources, the number of state residents employed and the use of vendors, consultants and subcontractors from the State to evaluate bids and existing contract performance and for general public information.

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

**Committee Amendment "A" (H-69)**

This amendment is the minority report of the committee. It changes the bill to a resolve and changes its title. It directs the Department of Administrative and Financial Services, Bureau of General Services to develop a process to include quantitative analysis as a required criterion in its evaluation of the total value of competitive bids for purchases and for public improvement contracts and of other competitively bid state contracts. It also directs the bureau to develop and submit recommendations and proposed legislation regarding the incorporation of quantitative analysis in its evaluation of competitive bids to the Joint Standing Committee on State and Local Government by December 15, 2015 and allows the committee to submit a bill to the Second Regular Session of the 127th Legislature.

**LD 406      An Act To Increase the Salaries of the Governor and Legislators      ONTP**

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

This bill increases the Governor's salary in January of 2019 from \$70,000 per year to \$120,000 per year and increases legislative salaries in December of 2018 by the same percentage, from \$14,073.63 for the first year of the biennium and \$9,982.44 for the second year of the biennium to \$24,126.22 for the first year of the biennium and \$17,112.75 for the second year of the biennium.

**LD 407      An Act To Buy American-made Products      Died Between Houses**

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

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

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

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

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