

MAINE STATE LEGISLATURE

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STATE OF MAINE
127TH LEGISLATURE
SECOND REGULAR SESSION



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

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

May 2016

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STAFF:

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

* Committee member for a portion of the session

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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 Second Regular Session of the 127th 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 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 127th Legislature is July 29, 2016. The effective date for legislation enacted as an emergency measure may be found in the enacted law summary for that legislation.

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for inactivity, as proposed in the bill.

This amendment also deappropriates savings related to the elimination of the Legislative Youth Advisory Council.

Enacted Law Summary

Public Law 2015, chapter 491 eliminates the following boards and commissions due to inactivity during 2014 and 2015: the ATV Trail Advisory Council, the Citizens' Code of Conduct Working Group and the Legislative Youth Advisory Council.

LD 1633 An Act Authorizing the Deorganization of Cary Plantation ONTP

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

This bill provides for the deorganization of Cary Plantation in Aroostook County, subject to approval at local referendum.

LD 1635 An Act Authorizing the Deorganization of Oxbow Plantation P & S 17

<u>Sponsor(s)</u>	<u>Committee Report</u>	<u>Amendments Adopted</u>
MARTIN J	OTP-AM	H-572

This bill provides for the deorganization of Oxbow Plantation in Aroostook County, subject to approval at local referendum and execution of a withdrawal agreement from School Administrative District No. 32, also known as Regional School Unit No. 32.

Committee Amendment "A" (H-572)

This amendment corrects the name in the bill of the deorganized township to Oxbow North Township.

Enacted Law Summary

Private and Special Law 2015, chapter 17 provides for the deorganization of Oxbow Plantation in Aroostook County, subject to approval at local referendum and execution of a withdrawal agreement from School Administrative District No. 32, also known as Regional School Unit No. 32. Upon successful deorganization, the former Oxbow Plantation will be identified as Oxbow North Township.

LD 1637 An Act To Assist Maine Citizens Residing along Public Easements Accepted Majority (ONTP) Report

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

This bill requires a municipality that discontinues a town way but that retains a public easement on that town way to continue to maintain that public easement, at the expense of the municipality, so that it is reasonably passable by motor vehicles if there are legal residences on the property abutting the town way at the time of discontinuance. If a municipality discontinues a town way and specifically discontinues the public easement on that town way, the

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interests of the municipality pass to the abutting property owners to the center of the town way and the municipality is not required to keep the town way passable. As defined in current law, a town way includes a county way not discontinued prior to July 29, 1976.

This bill also requires a municipality to maintain a mail route located on a right-of-way held by the municipality to the standard required by United States Postal Service regulations.

Committee Amendment "A" (H-607)

This amendment is the minority report of the committee. This amendment removes the section of the bill relating to maintenance of public easements if retained or not retained at the time of discontinuance. It replaces "right-of-way" with "public easement" in the mail route section and retains current statutory language regarding the removal of snow fences by a municipality.

This amendment was not adopted.

LD 1652 An Act Regarding Municipal Immigration Policies

**Died On
Adjournment**

<u>Sponsor(s)</u>	<u>Committee Report</u>	<u>Amendments Adopted</u>
LOCKMAN L BRAKEY E		

This bill was not referred to committee.

This bill provides that a municipality is ineligible to receive general purpose aid for local schools, municipal general assistance and state-municipal revenue sharing if that municipality prohibits or restricts, formally or informally, the exchange of information with the federal Immigration and Naturalization Service or any other federal, state or local government entity regarding the immigration status, lawful or unlawful, of any individual or the maintenance of such information.

This amendment was not adopted.

LD 1658 An Act To Reform the Veteran Preference in State Hiring and Retention

PUBLIC 438

<u>Sponsor(s)</u>	<u>Committee Report</u>	<u>Amendments Adopted</u>
HANINGTON S CYRWAY S	OTP-AM	H-622

Current law provides that, in making appointments to positions in the classified service, preference in the form of points added to test scores must be given to honorably separated veterans of the Armed Forces of the United States and to the spouse of a disabled veteran, the widow or widower of a veteran and the parents of a deceased veteran who lost his or her life under honorable conditions while serving on active duty. This bill repeals that language and provides preference in the form of an interview to any person who has served on active duty in the United States Armed Forces including the Reserves of the United States Armed Forces and the National Guard and received a discharge other than dishonorable and who meets the minimum qualifications established for a position.

The bill also repeals the provision that authorizes certain veterans and certain family members of disabled or deceased veterans to file an application for and reopen an open competitive examination during the life of an eligible register resulting from a published announcement.