

# MAINE STATE LEGISLATURE

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STATE OF MAINE  
127<sup>TH</sup> 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

# 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 Second 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.

*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 127<sup>th</sup> 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.

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

removed from the register of eligible persons for failure to be appointed to a position following certification.

5. It specifies that the Director of Human Resources within the Department of Administrative and Financial Services may grant an extension of temporary employment beyond one year to a person in a temporary position when the extension is warranted by unusual circumstances.

### **Committee Amendment "A" (S-449)**

This amendment specifies that the Director of Human Resources within the Department of Administrative and Financial Services may grant an extension of temporary employment beyond one year to a person in a temporary position when the extension is warranted by unusual circumstances.

### **Enacted Law Summary**

Public law 2015, chapter 442 makes the following changes to the law relating to recruitment, hiring and retention of state employees.

1. It specifies that, prior to implementing procedures regarding developing and implementing a system of registers of eligible persons, the Director of Human Resources within the Department of Administrative and Financial Services is required to meet and consult with collective bargaining representatives of affected employees.
2. It specifies that the Director of Human Resources within the Department of Administrative and Financial Services may grant an extension of temporary employment beyond the one year limitation in current law to a person in a temporary position when the extension is warranted by unusual circumstances.
3. It eliminates the requirement that the Director of Human Resources place the names of eligible persons on the register in order of their ratings.
4. It repeals language providing that a person may not be removed from the register of eligible persons for failure to respond in less than three months' time to a written inquiry of the Director of Human Resources or appointing authority regarding availability for appointment. It also repeals language providing that a person may not be removed from the register of eligible persons for failure to be appointed to a position following certification.
5. It specifies that the Director of Human Resources within the Department of Administrative and Financial Services may grant an extension of temporary employment beyond one year to a person in a temporary position when the extension is warranted by unusual circumstances.

**LD 1679**

**An Act To Increase the Salary of the Governor and the Salary of Legislators upon Reduction in the Size of the Legislature**

**Accepted Majority (ONTP) Report**

Sponsor(s)

DUNPHY L

Committee Report

ONTP  
OTP-AM

Amendments Adopted

This bill increases the Governor's salary from \$70,000 per year to \$150,000 per year beginning January 2019.

The bill also increases the salaries of members of the Senate and House of Representatives by 25% if the number of members of the Senate is reduced to 25 or fewer and the number of members of the House of Representatives is reduced to 100 or fewer.

### **Committee Amendment "A" (H-646)**

This amendment is the minority report of the committee. It removes language from the bill that removes the

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requirement that the Governor keep the Governor's office at the State House. It also removes the section that increases the salaries of members of the Senate and House of Representatives by 25% if the number of members of the Senate is reduced to 25 or fewer and the number of members of the House of Representatives is reduced to 100 or fewer. It retains the section that increases the Governor's salary from \$70,000 per year to \$150,000 per year beginning January 2019.

This amendment was not adopted.

**LD 1680      RESOLUTION, PROPOSING AN AMENDMENT TO THE      ONTP**  
**CONSTITUTION OF MAINE TO REDUCE THE NUMBER OF**  
**REPRESENTATIVES AND SENATORS IN THE LEGISLATURE**

<u>Sponsor(s)</u>	<u>Committee Report</u>	<u>Amendments Adopted</u>
DUNPHY L	ONTP	

This resolution proposes to amend the Constitution of Maine to reduce the size of the House of Representatives from 151 members to 100 members and the size of the Senate from no more than 35 members and no fewer than 31 members to 25 members, beginning with the Legislature elected in 2018.

**LD 1681      An Act To Clarify the Appointment Process      Died Between Houses**

<u>Sponsor(s)</u>	<u>Committee Report</u>	<u>Amendments Adopted</u>
GERZOFSKY S	OTP OTP-AM OTP-AM	

This bill clarifies the appointment process in those instances when an individual or entity is required by statute to provide the Governor names of candidates for appointment, but the number of candidates is not specified. The bill requires that a list of at least three qualified candidates be provided to the Governor.

**Committee Amendment "A" (S-474)**

This amendment is a minority report of the committee. It changes the number of qualified candidates for appointment that must be provided to the Governor from three to one or more.

This amendment was not adopted.

**Committee Amendment "B" (S-475)**

This amendment is a minority report of the committee. It changes the number of qualified candidates for appointment that must be provided to the Governor from three to two or more.

This amendment was not adopted.