

MAINE STATE LEGISLATURE

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STATE OF MAINE
128TH LEGISLATURE
FIRST REGULAR SESSION



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

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

August 2017

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STATE OF MAINE

128TH 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 128th 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 date for non-emergency legislation enacted in the First Regular Session of the 128th Legislature is Wednesday, November 1, 2017. 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

itemized.

Enacted Law Summary

Public Law 2017, chapter 33 removes the authority for municipalities to appropriate amounts of \$1,000 or less to volunteer fire departments without itemizing the purpose of the appropriation and clarifies that municipal appropriations, in any amount, to volunteer fire departments must be itemized.

LD 152 An Act To Strengthen Intragovernment Communication Veto Sustained

<u>Sponsor(s)</u>	<u>Committee Report</u>	<u>Amendments Adopted</u>
MARTIN D JACKSON T	OTP-AM ONTP	H-180

This bill requires the commissioner or director of a state agency, which includes executive branch departments and quasi-independent agencies, to appear before a joint standing committee of the Legislature or a study commission or work group formed by legislative action and to participate in a hearing or work session of that committee, commission or work group. The bill requires that the request to appear must be made in writing and provide the date and time of the hearing or work session.

Committee Amendment "A" (H-180)

This amendment is the majority report of the committee. The amendment adds a provision to the bill to require the commissioner or director of a state agency, or the commissioner's or director's designee, to respond in a cooperative and timely manner when contacted by a member of the Legislature regarding a legislative or constituent matter.

LD 203 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 Died Between Houses

<u>Sponsor(s)</u>	<u>Committee Report</u>	<u>Amendments Adopted</u>
BAILEY D	OTP-AM OTP-AM	H-76

This bill creates an exemption to federal provisions regarding the observation of so-called Eastern Daylight Saving Time in the State and requires the Secretary of State to request that the United States Secretary of Transportation place the State in the Atlantic Standard Time Zone.

Committee Amendment "A" (H-76)

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

1. It adds a provision that requires the Secretary of State to monitor legislative activity in Massachusetts and New Hampshire regarding placement of those states in the Atlantic Standard Time Zone.
2. It provides that if the Atlantic Standard Time Zone is adopted by Massachusetts and New Hampshire, the Secretary of State must submit to the voters of the State a referendum question asking voters to choose if the State should seek placement in the Atlantic Standard Time Zone and opt out of observing daylight saving time.
3. It provides that if the referendum question is approved, the Secretary of State is required to request that the United States Secretary of Transportation place the State in the Atlantic Standard Time Zone.

Joint Standing Committee on State and Local Government

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

5. The bill, contingent on a time zone change, changes the law governing periods of closure for hauling lobster traps. The amendment does not retain that provision.

Committee Amendment "B" (H-77)

This amendment, which is the minority report of the committee, replaces the bill. The amendment does the following.

1. It requires the Secretary of State to monitor legislative activity in Massachusetts and New Hampshire regarding placement of those states in the Atlantic Standard Time Zone.

2. It makes the State's request to the United States Secretary of Transportation to place the State in the Atlantic Standard Time Zone contingent on the adoption of the Atlantic Standard Time Zone by Massachusetts and New Hampshire and requires the Secretary of State to notify the Revisor of Statutes and the joint standing committee of the Legislature having jurisdiction over state and local government matters when the United States Secretary of Transportation has approved placement of the State in the Atlantic Standard Time Zone.

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

4. The bill, contingent on a time zone change, changes the law governing periods of closure for hauling lobster traps. The amendment does not retain that provision.

This amendment was not adopted.

LD 234	An Act To Clarify the Status of a Certain Section of the Pelletier Road in the Town of Frenchville as a Town Way	Leave to Withdraw Pursuant to Joint Rule
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<u>Sponsor(s)</u>	<u>Committee Report</u>	<u>Amendments Adopted</u>
MARTIN D JACKSON T		

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

This bill proposes to clarify the status of a certain section of the Pelletier Road in the Town of Frenchville as a town way.

LD 288	An Act To Limit Questions Regarding Criminal History on State Employment Applications	CARRIED OVER
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<u>Sponsor(s)</u>	<u>Committee Report</u>	<u>Amendments Adopted</u>
SHEATS B MIRAMANT D	OTP-AM	H-242