

MAINE STATE LEGISLATURE

The following document is provided by the
LAW AND LEGISLATIVE DIGITAL LIBRARY
at the Maine State Law and Legislative Reference Library
<http://legislature.maine.gov/lawlib>



Reproduced from electronic originals
(may include minor formatting differences from printed original)

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

STAFF:

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

MEMBERS:

SEN. PAUL T. DAVIS, SR., CHAIR
SEN. LISA KEIM
SEN. SUSAN A. DESCHAMBAULT

REP. ROLAND DANNY MARTIN, CHAIR
REP. MARK E. BRYANT
REP. PINNY BEEBE-CENTER
REP. GEORGE W. HOGAN
REP. JOHN E. MADIGAN, JR.
REP. JOHN ALDEN SPEAR
REP. RICHARD A. PICKETT
REP. MATTHEW A. HARRINGTON
REP. LESTER S. ORDWAY
REP. CHAD WAYNE GRIGNON

STATE OF MAINE

128TH LEGISLATURE
FIRST REGULAR SESSION



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

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

<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

<u>Sponsor(s)</u>	<u>Committee Report</u>	<u>Amendments Adopted</u>
SHEATS B MIRAMANT D	OTP-AM	H-242

Joint Standing Committee on State and Local Government

This bill prohibits any application form for employment for any position in State Government from including questions about an applicant's criminal history.

Committee Amendment "A" (H-242)

The amendment replaces the bill. Like the bill, the amendment prohibits the State from including questions about criminal history on its employment application forms. The amendment provides an exception to that prohibition when, due to the nature and requirements of the position, a person who has a criminal history record may be disqualified from eligibility, such as for a law enforcement officer, corrections officer, child protective and adult protective services caseworker or child development services worker. The amendment applies to state employment positions in the legislative, executive or judicial branches of State Government and positions with quasi-independent state entities or public instrumentalities of the State; it does not apply to positions in school administrative units, municipalities, counties or other political subdivisions of the State. This amendment also provides funding to the Department of Administrative and Financial Services for computer modifications made necessary by the amendment.

This bill was reported out of committee and then carried over to the next special or regular session of the 128th Legislature on the Special Appropriations Table by joint order, S.P. 601.

LD 303 An Act To Change the Name of Captain Ambrose Bear Stream INDEF PP

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

This bill was not referred to committee.

This bill requires the Aroostook County Commissioners to rename Captain Ambrose Bear Stream in and near the Town of Houlton in Aroostook County to B Stream. The bill also requires the county commissioners to notify the appropriate authorities and agencies of the name change. It requires the Department of Transportation to change any existing road signs designating Captain Ambrose Bear Stream to refer to B Stream. The bill also requires the Department of Inland Fisheries and Wildlife to amend its rules to change the name of Captain Ambrose Bear Stream to B Stream, and it changes the name where it appears in statute.

LD 328 An Act To Encourage Regional Planning and Reorganization CARRIED OVER

<u>Sponsor(s)</u>	<u>Committee Report</u>	<u>Amendments Adopted</u>
GRANT G BELLOWS S	OTP-AM	H-150

The bill provides \$25,000,000 in fiscal year 2017-18 and \$0 in fiscal year 2018-19 to the Fund for the Efficient Delivery of Local and Regional Services to encourage regional planning and reorganization for towns and municipalities to decrease the duplication of services.

Committee Amendment "A" (H-150)

The bill provides \$25,000,000 in fiscal year 2017-18 and \$0 in fiscal year 2018-19 to the Fund for the Efficient Delivery of Local and Regional Services. This amendment instead provides \$5,000,000 in fiscal year 2017-18 and \$5,000,000 in fiscal year 2018-19 to the Fund for the Efficient Delivery of Local and Regional Services and shifts responsibility for the administration of the fund from the Department of Administrative and Financial Services to