

MAINE STATE LEGISLATURE

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STATE OF MAINE
128TH LEGISLATURE
FIRST SPECIAL, SECOND REGULAR AND SECOND SPECIAL SESSIONS



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

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

October 2018

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STATE OF MAINE

128TH LEGISLATURE

FIRST SPECIAL, SECOND REGULAR AND SECOND SPECIAL SESSIONS



LEGISLATIVE DIGEST OF BILL SUMMARIES AND ENACTED LAWS

This *Legislative Digest of Bill Summaries and Enacted Laws* contain summaries of all LDs and adopted amendments and all laws enacted or finally passed during the First Special, Second Regular and Second Special Sessions 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 dates for non-emergency legislation enacted in the First Special, Second Regular or Second Special Sessions of the 128th Legislature are: Monday, February 5, 2018; Wednesday, August 1, 2018; and Thursday, December 13, 2018, respectively. 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

LD 105 An Act To Create the Substance Use Disorders Cabinet

Veto Sustained

<u>Sponsor(s)</u>	<u>Committee Report</u>	<u>Amendments Adopted</u>
HYMANSON P	OTP-AM	H-645

This bill was carried over from the First Regular Session to the Second Regular Session of the 128th Legislature.

This bill was reported out of committee in the Second Regular Session. It was carried over on the Special Appropriations Table to the next special session by joint order S.P. 748.

The bill establishes an office within the Department of Health and Human Services to coordinate efforts in the State to combat addiction to opiates.

Committee Amendment "A" (H-645)

This amendment replaces the bill and changes the title. The amendment establishes the Substance Use Disorders Cabinet for a time-limited period, with a sunset date of June 30, 2022. The cabinet consists of the commissioners of Corrections, Education, Health and Human Services, Labor and Public Safety; the Chief Justice of the Supreme Judicial Court; and, at the discretion of the Governor, one member of the public. The initial chair of the cabinet is the Commissioner of Health and Human Services or the commissioner's designee. The cabinet is established to promote interdepartmental collaboration on substance use disorders policy development, program implementation and service delivery in an integrated manner. The duties of the cabinet include coordinating funding, conducting long-term planning and policy development, coordinating service delivery, assessing resource capacity, reviewing programs and policies and communicating the work of the cabinet. The cabinet is authorized to solicit, receive and pool funds from the Federal Government, subdivisions of the State or individuals, foundations or corporations. The cabinet is required to submit an annual report to the joint standing committees of the Legislature having jurisdiction over appropriations and financial affairs, criminal justice and public safety matters, education and cultural affairs, health and human services matters, judiciary matters, labor matters and state and local government matters and to make the report available to the public. The cabinet is required to carry out its duties within existing resources.

LD 288 An Act To Limit Questions Regarding Criminal History on State Employment Applications

Died On Adjournment

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

This bill was carried over from the First Regular Session to the Second Regular Session of the 128th Legislature. The bill was reported out of committee in the Second Regular Session. It was carried over, on the Special Appropriations Table, from the Second Regular Session to the next special session by joint order S.P. 748.

The 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

Joint Standing Committee on State and Local Government

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.

LD 328 An Act To Encourage Regional Planning and Reorganization

PUBLIC 313

<u>Sponsor(s)</u>	<u>Committee Report</u>	<u>Amendments Adopted</u>
GRANT G BELLOWS S	OTP-AM	H-150 S-344 HAMPER J

This bill was reported out of committee in First Regular Session and then carried over to the Second Regular Session on the Special Appropriations Table.

The bill provides funding of \$25,000,000 in fiscal year 2017-2018 and \$0 in fiscal year 2018-2019 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)

This amendment replaces the bill. The amendment provides funding of \$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. The amendment shifts responsibility for the administration of the Fund for the Efficient Delivery of Local and Regional Services from the Department of Administrative and Financial Services to the Department of Economic and Community Development. The amendment also adds "capital grants" as a third type of grant available from the fund; current law provides for "planning grants" and "cooperative services" grants.

Senate Amendment "A" To Committee Amendment "A" (S-344)

This amendment strikes the appropriations and allocations section from the committee amendment.

Enacted Law Summary

Public Law 2017, chapter 313 shifts responsibility for the administration of the Fund for the Efficient Delivery of Local and Regional Services from the Department of Administrative and Financial Services to the Department of Economic and Community Development. This law also adds "capital grants" as a third type of grant available from the fund, in addition to the "planning grants" and "cooperative services" grants available in existing law.

LD 473 An Act To Quantitatively Evaluate State Contracts

ONTP

<u>Sponsor(s)</u>	<u>Committee Report</u>	<u>Amendments Adopted</u>
DEVIN M	ONTP	

This bill was carried over from the First Regular Session to the Second Regular Session of the 128th Legislature.

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