

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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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

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

Joint Standing Committee on State and Local Government

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.

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 329 An Act Concerning the Law Governing the Posting of Newspaper Legal Notices and the Statewide Repository for Legal Notices PUBLIC 19

<u>Sponsor(s)</u>	<u>Committee Report</u>	<u>Amendments Adopted</u>
MARTIN D JACKSON T	OTP	

This bill removes the provision in law that repeals on January 1, 2018 the law governing the electronic posting of legal notices. That law requires the posting of a legal notice appearing in a newspaper on a publicly accessible website maintained by the newspaper and requires a statewide association representing newspapers to maintain a publicly accessible electronic repository of legal notices.

Enacted Law Summary

Public Law 2017, chapter 19 removes the provision in law that repeals on January 1, 2018 the law governing the electronic posting of legal notices. That law requires the posting of a legal notice appearing in a newspaper on a publicly accessible website maintained by the newspaper and requires a statewide association representing newspapers to maintain a publicly accessible electronic repository of legal notices.

LD 379 An Act To Provide Stability and Continuity in the Department of Education Died Between Houses

<u>Sponsor(s)</u>	<u>Committee Report</u>	<u>Amendments Adopted</u>
MILLETT R KORNFIELD T	OTP-AM ONTP	

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

This bill proposes to provide stability and continuity in the Department of Education by enacting measures designed to ensure the timely nomination of the Commissioner of Education and to discourage repeated appointments of acting commissioners.

Committee Amendment "A" (S-170)

This amendment is the majority report of the committee. The amendment replaces the bill, which is a concept draft. The amendment requires the Governor to nominate a candidate for commissioner of an executive branch department, other than the Department of Education, within 90 days of a vacancy in the position of commissioner and, in the event a candidate nominated to fill a vacancy is not confirmed by the Legislature, requires the Governor to post a nomination of an alternative candidate within 90 days of the Senate confirmation vote. For a vacancy in the office of the Commissioner of Education, the amendment provides 120 days for the nomination to allow for the required review by the State Board of Education prior to posting the nomination of a candidate. In the event the candidate is not confirmed by the Legislature, the amendment provides an additional 120 days for the Governor to post the nomination of an alternative candidate.

This amendment was not adopted.