

# MAINE STATE LEGISLATURE

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**STATE OF MAINE**  
128<sup>TH</sup> 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

128<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 First Regular Session of the 128<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 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 128<sup>th</sup> 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**

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.