

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

LD 491 An Act To Extend the Allowed Time for the Interchange of Educators between School Administrative Units and the Department of Education

PUBLIC 279

| <u>Sponsor(s)</u> | <u>Committee Report</u> | <u>Amendments Adopted</u> |
|----------------------|-------------------------|---------------------------|
| TURNER B BRAKEY E | OTP-AM | H-65 |

This bill amends the law governing the interchange of employees between government departments, agencies and instrumentalities. It increases the maximum period of an interchange assignment from 12 to 24 months.

Committee Amendment "A" (H-65)

This amendment changes the title and replaces the bill. The amendment provides for a maximum period of an employee interchange assignment of 24 months in any 36-month period for an educator participating in an interchange program between the educator's school administrative unit and the Department of Education. The amendment creates an exception to the provision of law governing interchange programs, which establishes a maximum period of 12 months in any 36-month period.

Enacted Law Summary

Public Law 2017, chapter 279 provides for a maximum period of an employee interchange assignment of 24 months in any 36-month period for an educator participating in an interchange program between the educator's school administrative unit and the Department of Education. The law creates an exception to the provision of law governing interchange programs, which establishes a maximum period of 12 months in any 36-month period.

LD 497 An Act To Require That Candidates for the Office of County Sheriff Who Meet the Basic Corrections Training Standards Have Corrections Supervisory Experience

Died Between Houses

| <u>Sponsor(s)</u> | <u>Committee Report</u> | <u>Amendments Adopted</u> |
|--------------------------|-------------------------|---------------------------|
| HARRINGTON M CYRWAY S | OTP ONTP | |

Current law requires a candidate for county sheriff to submit written certification from the Maine Criminal Justice Academy that the person has met the basic law enforcement training standards under the Maine Revised Statutes, Title 25, section 2804-C or the basic corrections training standards under Title 25, section 2804-D and to swear to or affirm that the candidate has at least five years of supervisory experience. This bill requires that a candidate who meets the training requirements by meeting the basic corrections training standards must also swear to or affirm that the candidate has at least five years of supervisory employment experience in the field of corrections. This bill exempts from this requirement a person serving in the office of sheriff on January 1, 2018 or who served prior to that date. The bill includes an effective date of January 1, 2018.

LD 540 An Act To Help Municipalities Prepare for Sea Level Rise

Veto Sustained

| <u>Sponsor(s)</u> | <u>Committee Report</u> | <u>Amendments Adopted</u> |
|-----------------------|-------------------------|---------------------------|
| BLUME L MIRAMANT D | OTP-AM | H-28 |

Joint Standing Committee on State and Local Government

This bill amends the State's growth planning and land use laws to reflect that addressing the effects of sea level rise is a state planning and regulatory goal. The bill amends the laws regarding the State's coastal management policies to direct state, local and certain federal agencies responsible for regulating, planning, developing or managing coastal resources to conduct their activities affecting the coastal area consistent with the policy of encouraging the assessment of and planning for the effects of the rise in sea level. The bill provides that if a coastal municipality or multimunicipal region that includes a coastal municipality adopts a growth management program under the State's growth planning and land use laws, it may include in its comprehensive plan projections regarding sea level changes and the potential effects of the rise in sea level and may develop a coordinated plan for addressing the effects of the rise in sea level. The bill also provides that "coastal municipality" means a municipality or township in the coastal zone as identified by the Department of Agriculture, Conservation and Forestry, Maine Coastal Program.

Committee Amendment "A" (H-28)

This amendment removes from the bill the provision that directs government agencies responsible for regulating, planning, developing or managing coastal resources to conduct their activities consistent with the policy of encouraging the assessment of and planning for the effects of the rise in sea level.

LD 618 Resolve, Authorizing the Mount Hunger Area of the Town of Gray To Proceed with the Secession Process Accepted Majority (ONTP) Report

| <u>Sponsor(s)</u> | <u>Committee Report</u> | <u>Amendments Adopted</u> |
|-------------------|-------------------------|---------------------------|
| AUSTIN S | ONTP OTP-AM | |

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

This resolve proposes to authorize the Mount Hunger area of the Town of Gray to proceed with the secession process.

Committee Amendment "A" (H-70)

This amendment is the minority report of the committee. The amendment replaces the bill, which is a concept draft. The amendment authorizes the Mount Hunger area of the Town of Gray to proceed with the secession process in accordance with the Maine Revised Statutes, Title 30-A, chapter 113, subchapter 2.

This amendment was not adopted.

LD 619 Resolve, Authorizing the Area of the West Side of Little Sebago Lake of the Town of Gray To Proceed with the Secession Process Accepted Majority (ONTP) Report

| <u>Sponsor(s)</u> | <u>Committee Report</u> | <u>Amendments Adopted</u> |
|-------------------|-------------------------|---------------------------|
| AUSTIN S | ONTP OTP-AM | |

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

This resolve proposes to authorize the area of the west side of Little Sebago Lake of the Town of Gray to proceed with the secession process.

Committee Amendment "A" (H-71)