

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

This amendment is the minority report of the committee. The amendment replaces the resolve, which is a concept draft. The amendment authorizes the west side of Little Sebago Lake in 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 635 An Act To Incentivize Legislative Carpooling

**Accepted Majority
(ONTP) Report**

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

This bill provides for an increased mileage reimbursement rate for Legislators who transport other Legislators in a car pool to or from legislative meetings and sessions. The bill provides for a 25% increase in the rate paid per mile for each additional passenger and specifies that the passenger is not eligible for mileage reimbursement.

Committee Amendment "A" (H-32)

This amendment incorporates a fiscal note.

This amendment was not adopted.

**LD 648 An Act To Expand the Types of Nonprofit Organizations to Which
Surplus Property May Be Sold by the State**

PUBLIC 310

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

This bill amends the law regarding sales of government surplus property to expand the types of nonprofit organizations that must be given an opportunity to purchase government surplus property through private sales to include any nonprofit organization that has been determined to be exempt from taxation under the federal tax code.

Enacted Law Summary

Public Law 2017, chapter 301 amends the law regarding sales of government surplus property to expand the types of nonprofit organizations that must be given an opportunity to purchase government surplus property through private sales to include any nonprofit organization that has been determined to be exempt from taxation under the federal tax code.

LD 725 An Act To Recognize Local Control Regarding Food Systems

PUBLIC 215

<u>Sponsor(s)</u>	<u>Committee Report</u>	<u>Amendments Adopted</u>
JACKSON T HICKMAN C	OTP-AM ONTP	S-74 S-136 JACKSON T

This bill authorizes municipal governments to regulate local food systems and the transport of water for commercial purposes by ordinance and requires the State to recognize such ordinances.

Joint Standing Committee on State and Local Government

Committee Amendment "A" (S-74)

This amendment is the majority report of the committee. This amendment strikes the language in the bill authorizing municipal governments to regulate by ordinance the transport of water for commercial purposes.

Senate Amendment "A" (S-136)

This amendment requires an ordinance adopted by a municipality to apply only to food or food products grown or processed in the municipality by individuals who sell directly to consumers. This amendment also requires any food or food products grown, produced or processed in the municipality intended for wholesale or retail distribution outside of the municipality to comply with state and federal laws, rules and regulations.

Enacted Law Summary

Public Law 2017, chapter 215 authorizes municipal governments to regulate local food systems by ordinance and requires the State to recognize such ordinances. The law requires an ordinance to regulate local food systems adopted by a municipality to apply only to food or food products grown or processed in the municipality by individuals who sell directly to consumers. It also requires any food or food products grown, produced or processed in the municipality intended for wholesale or retail distribution outside of the municipality to comply with state and federal laws, rules and regulations.

LD 740 An Act To Promote Efficiency and Accountability to Taxpayers in Personal Services Contracting Died Between Houses

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

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

This bill proposes to amend the laws regarding personal services contracting by the State to ensure that personal services contracting is done only when authorized and necessary and to provide transparency in the personal services contracting process.

Committee Amendment "A" (H-199)

This amendment is the majority report of the committee. The amendment replaces the bill, which is a concept draft. The amendment requires a department or agency of the State to submit a proposed contract to the Attorney General for review and approval when the department or agency determines the contract may expose the State to substantial risk in the event of nonperformance or is expected to incur costs to the State in excess of \$3,000,000.

This amendment was not adopted.

LD 780 An Act Authorizing the Deorganization of Cary Plantation CARRIED OVER

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

This bill provides for the deorganization of Cary Plantation in Aroostook County, subject to approval at local referendum.