

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**

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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

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.

Joint Standing Committee on State and Local Government

This bill was carried over to any special or regular session of the 128th Legislature by joint order, H.P. 1138.

LD 823 An Act To Promote Transparency with Respect to Surveillance Technology CARRIED OVER

<u>Sponsor(s)</u>	<u>Committee Report</u>	<u>Amendments Adopted</u>
BELLOWS S MOONEN M		

This bill requires a state entity to hold a public hearing and obtain legislative approval prior to engaging in certain activities relating to the acquisition and use of surveillance technology.

This bill was carried over to any special or regular session of the 128th Legislature by joint order, H.P. 1138.

LD 830 An Act To Authorize Portions of the City of Caribou to Secede and Form the Town of Lyndon ONTP

<u>Sponsor(s)</u>	<u>Committee Report</u>	<u>Amendments Adopted</u>
JACKSON T	ONTP	

This bill authorizes the incorporation of certain portions of the City of Caribou into the Town of Lyndon if the legal residents of those parts approve, by referendum, separation from the City of Caribou and incorporation as a separate town. The bill clarifies the binding arbitration process and specifies the liability and rights of the City of Caribou and the Town of Lyndon. The meets and bounds describing the proposed Town of Lyndon have not been verified by a licensed professional land surveyor.

LD 849 An Act To Require the State To Maintain an Interest-bearing Account of Privately Donated Funds for Saxl Park in the City of Bangor P & S 8

<u>Sponsor(s)</u>	<u>Committee Report</u>	<u>Amendments Adopted</u>
FREY A	OTP-AM	H-178

This bill allows the State to deposit privately donated funds received for the purpose of upkeep of property managed by the State into an interest-bearing account. The bill requires that any interest earned on the donated funds be also used for the upkeep of the property.

Committee Amendment "A" (H-178)

This amendment replaces the bill. The amendment requires the State to deposit into an interest-bearing account privately donated funds received by the State to expend on behalf of the Saxl Park Advisory Committee for the purpose of maintaining, operating and improving Saxl Park in the City of Bangor. The requirement applies to the unexpended balance of funds previously received by the State for this purpose and requires interest earned to be used for the same purpose. The amendment repeals Resolve 2007, chapter 201, section 10, subsection 2, which pertains to private donations to benefit Saxl Park.

Enacted Law Summary

Private and Special Law 2017, chapter 8 requires the State to deposit into an interest-bearing account privately donated funds received by the State to expend on behalf of the Saxl Park Advisory Committee for the purpose of maintaining, operating and improving Saxl Park in the City of Bangor. The requirement applies to the unexpended balance of funds previously received by the State for this purpose and requires interest earned to be used for the