

MAINE STATE LEGISLATURE

The following document is provided by the
LAW AND LEGISLATIVE DIGITAL LIBRARY
at the Maine State Law and Legislative Reference Library
<http://legislature.maine.gov/lawlib>



Reproduced from electronic originals
(may include minor formatting differences from printed original)

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

STAFF:

LUCIA NIXON, LEGISLATIVE ANALYST
OFFICE OF POLICY AND LEGAL ANALYSIS
13 STATE HOUSE STATION
AUGUSTA, ME 04333
(207) 287-1670
<http://legislature.maine.gov/legis/opla/>

MEMBERS:

SEN. PAUL T. DAVIS, SR., CHAIR
SEN. LISA KEIM
SEN. SUSAN A. DESCHAMBAULT

REP. ROLAND DANNY MARTIN, CHAIR
REP. MARK E. BRYANT
REP. PINNY BEEBE-CENTER
REP. GEORGE W. HOGAN
REP. JOHN E. MADIGAN, JR.
REP. JOHN ALDEN SPEAR
REP. RICHARD A. PICKETT
REP. MATTHEW A. HARRINGTON
REP. LESTER S. ORDWAY
REP. CHAD WAYNE GRIGNON

STATE OF MAINE

128TH LEGISLATURE
FIRST REGULAR SESSION



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 public entity, including the State and any of its agencies or subdivisions, from boycotting the State of Israel or contracting with or giving a grant to a person that is boycotting the State of Israel and requires all contracts and grants by a state agency or subdivision to certify that the person awarded the contract or grant will not boycott the State of Israel for the duration of the contract or grant. This bill does not apply to a contract if the person supplies the services, supplies or information technology for at least 20% less than the lowest eligible competitor or to a contract or grant with a total potential value of less than \$1,000.

Committee Amendment "A" (S-69)

This amendment is the minority report of the committee. The amendment changes the allocation of the new section to avoid a numbering conflict and incorporates a fiscal note.

This amendment was not adopted.

**LD 890 An Act To Include a Representative of the Aroostook Band of Micmacs CARRIED OVER
in the House of Representatives**

<u>Sponsor(s)</u>	<u>Committee Report</u>	<u>Amendments Adopted</u>
CARPENTER M STEWART H		

This bill makes the statutory changes necessary to include a representative of the Aroostook Band of Micmacs in the Maine House of Representatives beginning with the 129th Legislature. It requires the Tribal Clerk of the Aroostook Band of Micmacs to furnish the outgoing Clerk of the House of Representatives with a certification of the name and residence of the Representative-elect of the Aroostook Band of Micmacs to the Legislature. It also authorizes the Representative of the Aroostook Band of Micmacs to be compensated in the same manner as other members of the House of Representatives. It also provides that the changes do not take effect unless the Aroostook Band of Micmacs approves them and provides certification of that approval to the Secretary of State within 90 days of the adjournment of the First Regular Session of the 128th Legislature.

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

**LD 895 An Act To Help Maine Manufacturing Accepted Majority
(ONTP) Report**

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

This bill establishes the Maine Buy America Act and requires that all contracts for the construction, reconstruction, alteration, repair, improvement or maintenance of a public building or public work made by a state agency, board, commission or institution contain a provision that the manufactured goods, including iron and steel, used or supplied in the performance of the contract or any subcontract to the contract must be manufactured in the United States. This requirement does not apply to counties, municipalities or school administrative units.

The bill requires that, in the case of a manufactured good other than an iron or steel product, all of the manufacturing processes take place in the United States and the origin of the manufactured good's components or subcomponents meet a minimum level of domestic content as established by rule.

Joint Standing Committee on State and Local Government

Under the Act, a public agency may apply to the Governor or the Governor's designee for a waiver of the requirement if the executive head of the public agency finds that the application of the requirement would be inconsistent with the public interest, that the necessary manufactured goods are not produced in the United States in sufficient and reasonably available quantities and of a satisfactory quality or that inclusion of manufactured goods made in the United States will increase the cost of the overall project contract by more than 25%. The Department of Administrative and Financial Services is directed to develop rules regarding the Act, including rules to guide the waiver process and the process for public review and comment regarding requests for a waiver.

The bill requires that if the Department of Administrative and Financial Services has reason to believe that any person, business or other entity has intentionally made fraudulent representations about the domestic content of a manufactured good or has intentionally violated any provision of the Act, the department must, after a hearing, debar that person, business or other entity from contracts or subcontracts with the State for two years.

The bill provides that the provisions of this legislation must be applied in a manner consistent with the State's obligations under any applicable international agreements pertaining to government procurement.

Committee Amendment "A" (S-143)

This amendment is the minority report. The amendment adds an appropriations and allocations section.

This amendment was not adopted.

LD 899 *Resolve, To Establish the Commission To Study the Salaries of the Governor, Legislators and Executive and Legislative Staff* **ONTP**

<u>Sponsor(s)</u>	<u>Committee Report</u>	<u>Amendments Adopted</u>
CUSHING A HARVELL L	ONTP	

This resolve establishes the Commission To Study the Salaries of the Governor, Legislators and Executive and Legislative Staff. The commission is charged with studying the salaries of the Governor, Legislators and executive and legislative staff members and making recommendations for any necessary changes. The commission is required to submit a report containing its findings and recommendations to the Second Regular Session of the 128th Legislature by December 6, 2017.

LD 914 *An Act To Establish Indigenous People's Day* **Accepted Majority (ONTP) Report**

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

This bill establishes the second Monday in October as Indigenous People's Day and changes references in the Maine Revised Statutes to the federally named Columbus Day to Indigenous People's Day for use in the State.

Committee Amendment "A" (H-66)

This amendment is the minority report of the committee. The amendment changes a reference to Indigenous People's Day in the bill so that it is not listed as a national holiday but is still not considered a business day.