

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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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 1082 An Act To Amend the Laws Governing the Granting of a Variance from the Dimensional Standards of a Zoning Ordinance **Accepted Majority (ONTP) Report**

<u>Sponsor(s)</u>	<u>Committee Report</u>	<u>Amendments Adopted</u>
CAMPBELL R CUSHING A	ONTP OTP	

This bill amends the law governing variances from dimensional standards that may be granted by a municipal zoning board of appeals.

LD 1084 An Act To Require That Certain Applicant Information for Certain Local Government and School Administrative Positions Be Public upon Application **Accepted Majority (ONTP) Report**

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

This bill provides that the names and addresses of applicants for positions as county administrator, city manager, town manager and school superintendent are public records upon application by the applicant.

Committee Amendment "A" (H-149)

This amendment is the minority report of the committee. The amendment provides that for an applicant for the position of county administrator, city manager, town manager or school superintendent, the hiring authority may require public disclosure of the applicant's name and address at a specified point in the application process as a condition of eligibility for the position.

This amendment was not adopted.

LD 1087 An Act To Define When a Municipal Land Use Decision Is Considered Final for Purposes of an Appeal to Superior Court **ONTP**

<u>Sponsor(s)</u>	<u>Committee Report</u>	<u>Amendments Adopted</u>
BREEN C	ONTP	

This bill requires, for purposes of appeal to the Superior Court, that to be considered final agency action, a land use matter requiring review of both a municipal planning board and board of appeals must be heard by both the municipal planning board and board of appeals and both boards must issue findings of fact.

LD 1100 An Act To Increase the Salaries of the Governor and Legislators **ONTP**

<u>Sponsor(s)</u>	<u>Committee Report</u>	<u>Amendments Adopted</u>
MARTIN D	ONTP	

This bill increases the Governor's salary in January of 2019 from \$70,000 per year to \$150,000 per year and

Joint Standing Committee on State and Local Government

increases legislative salaries in December of 2018 from \$14,271.35 for the first year of the biennium and \$10,157.52 for the second year of the biennium to \$24,000 for the first year of the biennium and \$17,000 for the second year of the biennium.

LD 1141 An Act To Make Election Day a State Holiday

ONTP

<u>Sponsor(s)</u>	<u>Committee Report</u>	<u>Amendments Adopted</u>
BATES D	ONTP	

This bill designates Election Day, the first Tuesday after the first Monday in November, as a state holiday.

LD 1142 An Act To Repeal the Laws Establishing the Cumberland County Recreation Center and To Transfer Authority to Cumberland County

PUBLIC 195

<u>Sponsor(s)</u>	<u>Committee Report</u>	<u>Amendments Adopted</u>
CHACE P	OTP-AM ONTP	H-256

This bill repeals Private and Special Law 1971, chapter 86, which established the Cumberland County Recreation Center to establish and operate the Cumberland County Civic Center, now known as the Cross Insurance Arena. The bill transfers the rights and responsibilities of the Center to Cumberland County, exclusively.

Committee Amendment "A" (H-256)

This amendment is the majority report of the committee. The amendment makes the following changes to the bill.

1. It establishes the Board of Trustees of the Cross Insurance Arena in statute.
2. It clarifies that current members of the Board of Trustees of the Cumberland County Recreation Center serve as initial members of the Board of Trustees of the Cross Insurance Arena for the balance of their terms.
3. It specifies that the budget for the Cross Insurance Arena is developed by the board of trustees and presented by the board to the Cumberland County commissioners. It clarifies that budget approval and adoption is the responsibility of the county commissioners and that the county commissioners may increase or decrease the overall budget presented by the trustees but may not otherwise alter or amend the budget.

Enacted Law Summary

Public Law 2017, chapter 195 repeals Private and Special Law 1971, chapter 86, which established the Cumberland County Recreation Center to establish and operate the Cumberland County Civic Center, now known as the Cross Insurance Arena, and transfers the rights and responsibilities of the center to Cumberland County, exclusively. The law establishes the Board of Trustees of the Cross Insurance Arena in statute. It specifies that the budget for the Cross Insurance Arena is developed by the board of trustees and presented by the board to the Cumberland County commissioners for approval and adoption.