

MAINE STATE LEGISLATURE

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STATE OF MAINE
128TH LEGISLATURE
FIRST SPECIAL, SECOND REGULAR AND SECOND SPECIAL SESSIONS



Summaries of bills, adopted amendments and laws enacted or finally passed

**JOINT STANDING COMMITTEE ON STATE AND
LOCAL GOVERNMENT**

October 2018

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STATE OF MAINE

128TH LEGISLATURE

FIRST SPECIAL, SECOND REGULAR AND SECOND SPECIAL SESSIONS



LEGISLATIVE DIGEST OF BILL SUMMARIES AND ENACTED LAWS

This *Legislative Digest of Bill Summaries and Enacted Laws* contain summaries of all LDs and adopted amendments and all laws enacted or finally passed during the First Special, Second Regular and Second Special Sessions 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 dates for non-emergency legislation enacted in the First Special, Second Regular or Second Special Sessions of the 128th Legislature are: Monday, February 5, 2018; Wednesday, August 1, 2018; and Thursday, December 13, 2018, respectively. 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 was carried over from the First Regular Session to the Second Regular Session of the 128th Legislature. This bill was reported out of committee in the Second Regular Session. It was carried over, on the Special Appropriations Table, to the next special session by joint order S.P. 748.

This bill is a concept draft pursuant to Joint Rule 208. This bill proposes to establish an alternative method for an employee to pay back an employer for overcompensation of the employee due to the employer's error that is less of a hardship on the employee than the present requirements of law, which allow an employer to deduct up to 10% of an employee's wages to pay back the overcompensation of the employee.

Committee Amendment "A" (H-610)

This amendment replaces the bill, which is a concept draft. It amends the definition of "overcompensation" by an employer to include compensation in the form of paid leave. It changes the maximum amount an employer can withhold from an employee's pay to recover overcompensation from 10% to 5%. It prohibits an employer from recovering more than the amount of overcompensation paid to an employee in the three years preceding the discovery of the overcompensation. The amendment also specifies that the section of law regarding overcompensation by employers that includes these provisions does not limit or affect an employee's general civil remedies against an employer.

LD 1484 An Act Authorizing the Deorganization of the Town of Atkinson P & S 14

<u>Sponsor(s)</u>	<u>Committee Report</u>	<u>Amendments Adopted</u>
HIGGINS N	OTP-AM ONTP	H-698 S-432 LANGLEY B

This bill was carried over from the First Regular Session to the Second Regular Session of the 128th Legislature.

The bill provides for the deorganization of the Town of Atkinson in Piscataquis County subject to approval at local referendum and execution of a withdrawal agreement from School Administrative District No. 41, also known as Regional School Unit No. 41. It also provides that townships deorganized on or after July 1, 2019, continue to receive school subsidies through general purpose aid to local schools, subject to approval at local referendum.

Committee Amendment "A" (H-698)

This amendment is the majority report of the committee. The amendment incorporates a fiscal note.

Senate Amendment "A" (S-432)

This amendment removes the provisions in the bill that enabled townships deorganized on or after July 1, 2019, to continue to receive school subsidies through general purpose aid to local schools.

Enacted Law Summary

Private and Special Law 2017, chapter 14 provides for the deorganization of the Town of Atkinson in Piscataquis County subject to approval at local referendum and execution of a withdrawal agreement from School Administrative District No. 41, also known as Regional School Unit No. 41. If the legal voters of the Town of Atkinson approve the referendum, deorganization takes effect July 1, 2019.