

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

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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 1484 An Act Authorizing the Deorganization of the Town of Atkinson

CARRIED OVER

<u>Sponsor(s)</u>	<u>Committee Report</u>	<u>Amendments Adopted</u>
HIGGINS N		

This 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.

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

LD 1498 An Act To Clarify the Applicability of the Records Preservation Surcharge within County Registries of Deeds

PUBLIC 116

<u>Sponsor(s)</u>	<u>Committee Report</u>	<u>Amendments Adopted</u>
FECTEAU R	OTP-AM	H-244

This bill clarifies that quasi-independent agencies are included as agencies not subject to the records preservation surcharge imposed by various county registries of deeds.

Committee Amendment "A" (H-244)

This amendment provides a clarifying cross-reference to the definition of "quasi-independent state entity."

Enacted Law Summary

Public Law 2017, chapter 116 clarifies that quasi-independent state entities are included as agencies of State Government for the purpose of being exempt from the records preservation surcharge imposed by various county registries of deeds.

LD 1505 An Act To Create Consistency in the Regulation of Pesticides

ONTP

<u>Sponsor(s)</u>	<u>Committee Report</u>	<u>Amendments Adopted</u>
DAVIS P	ONTP	

This bill prohibits a municipality from adopting or continuing to enforce any ordinance or rule regarding the sale or use of pesticides.

LD 1535 An Act To Modernize the State's Procurement Laws

Accepted Majority (ONTP) Report

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

Joint Standing Committee on State and Local Government

This bill changes, from State Purchasing Agent to Chief Procurement Officer, the title of the position responsible for administering the procurement process for the State. The bill also makes several changes to the laws governing the procurement process as follows:

1. It authorizes the Chief Procurement Officer to enter into multistate agreements and requests for proposals and bids for goods and services;
2. It authorizes the Chief Procurement Officer, with the approval of the Commissioner of Administrative and Financial Services, to adopt rules to provide a process under which a department or agency that purchases goods or services contrary to the State's procurement laws may have funding removed from that department or agency's budget; and
3. It provides that costs for an unsuccessful appeal of a contract or grant award decision must be borne by the person requesting the appeal.

Committee Amendment "A" (H-502)

This amendment is the minority report of the committee. The amendment removes the provision in the bill that provides that costs for an unsuccessful appeal of a contract or grant award decision must be borne by the person requesting the appeal.

This amendment was not adopted.

LD 1558 An Act To Require That Municipalities and Counties Recover the Cost of Opioid Antagonist Treatment from Repeat Recipients

Accepted Majority (ONTP) Report

Sponsor(s)
HEAD F
CYRWAY S

Committee Report
ONTP
OTP-AM

Amendments Adopted

This bill requires municipalities, counties and their agents, including contracted first responders, to recoup the cost of administering naloxone hydrochloride and other opioid antagonists from individuals to whom they administer those medications a second or subsequent time.

Committee Amendment "A" (H-360)

This amendment is the minority report of the committee. The amendment removes the requirement in the bill that a municipality or county or agent of either make all reasonable efforts to identify whether an individual has previously been administered an opioid antagonist and to recover the cost from the individual if it is a second or subsequent treatment. The amendment, instead, authorizes a municipality, county or agent to make efforts to identify if the individual has had prior treatment with an opioid antagonist, and it authorizes the municipality or county to make efforts to recover from the individual's health insurance provider the cost of the dose administered if it is a second or subsequent treatment. The amendment removes the provision in the bill that imposes a \$1,000 fine on a municipality or county that does not meet the bill's requirements.

This amendment was not adopted.