

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

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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 1573 An Act To Encourage Development in the Logging Industry by Requiring State and Local Government Agencies To Give Preference to Timber Harvested in the State

Veto Sustained

<u>Sponsor(s)</u>	<u>Committee Report</u>	<u>Amendments Adopted</u>
JACKSON T MARTIN J	OTP-AM ONTP	S-269 S-315 JACKSON T

This bill requires that a state agency that contracts for or acquires lumber or other solid wood products give preference to lumber and solid wood products that are harvested in the State by in-state contractors, as long as the price, fitness and quality of the lumber or solid wood products are equal to that of lumber and solid wood products harvested outside the State. Under the bill, "state agency" includes departments and agencies of state, county and municipal government.

The bill also requires that if the State provides a subsidy to a person who purchases lumber or other solid wood products, the person must give preference to lumber and solid wood products harvested in the State by in-state contractors, as long as the price, fitness and quality of the lumber or solid wood products are equal to that of lumber and solid wood products harvested outside the State.

Committee Amendment "A" (S-269)

This amendment is the majority report of the committee. The amendment changes certain terminology and definitions in the bill to clarify the types of wood to which the provisions of the bill apply. The amendment replaces the terms "lumber" and "solid wood products" in the bill with the term "timber," which is further defined as "roundwood," meaning logs, bolts and other round sections of wood, and "residue," meaning by-products of a processed log. The amendment also adds a reference to state contracts for timber harvesting.

Senate Amendment "C" To Committee Amendment "A" (S-315)

This amendment removes the requirement that a person who receives a subsidy from the State and who purchases timber give preference to timber harvested by an in-state contractor. Instead this amendment requires a landowner who receives a subsidy from the State and who sells timber harvested from the landowner's land in this State to use an in-state contractor or a contractor from New Hampshire for the harvesting and transportation of that timber, as long as the price and quality of the work performed by that in-state contractor or contractor from New Hampshire is equal to the price and quality of work performed by a contractor from another state. It also provides that a landowner subject to the requirement to use an in-state contractor or contractor from New Hampshire to harvest and transport timber as the result of a subsidy provided under the Maine Tree Growth Tax Law may withdraw that landowner's land from taxation under the Maine Tree Growth Tax Law without penalty.

LD 1588 An Act To Maintain Mail Routes and Access to Residential Structures

CARRIED OVER

<u>Sponsor(s)</u>	<u>Committee Report</u>	<u>Amendments Adopted</u>
HILLIARD G		

This bill prohibits a municipality from discontinuing a road on which there is a residential structure that depends upon the road for its sole access and requires the municipality to plow snow from that road and keep it passable. The bill allows for the rebuttal of the presumption of abandonment of a public way if there is a residential structure that depends on the way for its sole access. The bill requires municipalities to maintain mail routes in accordance with United States Postal Service regulations.

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 1604 Resolve, To Amend Authorization To Sell Certain Property in Augusta CARRIED OVER

<u>Sponsor(s)</u>	<u>Committee Report</u>	<u>Amendments Adopted</u>
POULIOT M KATZ R		

Resolve 2013, chapter 98 authorized the State to sell property located in Augusta to a nonprofit organization to be used exclusively for transitional housing for veterans. This resolve removes that restriction on the exclusive use of the property.

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

LD 1608 An Act To Support Employment Opportunity in Maine Veto Sustained

<u>Sponsor(s)</u>	<u>Committee Report</u>	<u>Amendments Adopted</u>
PARKER J CARSON B	OTP-AM ONTP	H-461

This bill prohibits the State from seeking to obtain or inquiring about the credit history of a prospective employee or requiring that a prospective employee provide a credit history as a condition of employment.

Committee Amendment "A" (H-461)

This amendment is the majority report of the committee. The amendment provides three exceptions from the provision in the bill that prohibits the State from seeking to obtain or inquire about the credit history of a prospective employee or require that a prospective employee provide a credit history as a condition of employment when: the position involves a fiduciary responsibility to the State, the position is a law enforcement position or the State is otherwise required by federal law to obtain a credit history. The amendment also clarifies the definition of state employment to include employment in the legislative, executive or judicial branch of State Government but not include employment in other governmental or quasi-governmental entities.

LD 1622 An Act To Allow the Androscoggin County Commissioners To Establish Reasonable Office Hours for County Offices PUBLIC 212

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

Current law specifies the office hours of the county offices of Androscoggin County. This bill repeals that provision of law, allowing the county commissioners of Androscoggin County to establish reasonable office hours in the same manner as do all other county commissioners.

Enacted Law Summary

Public Law 2017, chapter 212 allows the county commissioners of Androscoggin County to establish reasonable office hours in the same manner as do all other county commissioners.