

# MAINE STATE LEGISLATURE

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**STATE OF MAINE**  
128<sup>TH</sup> 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

128<sup>TH</sup> 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 128<sup>th</sup> 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 128<sup>th</sup> 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*

3. It specifies that the current register of deeds of the western district and the western district office operate and function without change between the effective date of this legislation and the repeal date of December 31, 2018. It requires that, effective January 1, 2019, the Oxford County register of deeds maintain a western subregistry of deeds that includes all records of the former western registry district. It also requires that the county register of deeds operate a subregistry office at the location of the former western registry district office in Fryeburg, unless the Oxford County commissioners fulfill the following requirements: conduct two public hearings in the area served by the office; vote to close the office on a date certain; duplicate all historical maps and plot plans and provide copies to the member towns; make provisions for preservation of and access to the record books; provide online access to all documents; make electronic recording of documents available; and provide electronic recording at no additional cost or surcharge for municipal governments. Upon fulfilling these requirements, the county commissioners may close the Fryeburg Office.

The amendment adds an emergency preamble and emergency clause.

**Enacted Law Summary**

Public Law 2017, chapter 330 does the following:

- 1. It repeals the provision of law providing for the Oxford County western registry district and eliminates the associated position of western district register of deeds effective December 31, 2018.
- 2. It provides for the election of a single register of deeds to serve all of Oxford County at the next general election in November 2018.
- 3. It specifies that the current register of deeds of the western district and the western district office operate and function without change between the effective date of this legislation and the repeal date of December 31, 2018. It requires that, effective January 1, 2019, the Oxford County register of deeds maintain a western subregistry of deeds that includes all records of the former western registry district. It also requires that the county register of deeds operate a subregistry office at the location of the former western registry district office in Fryeburg, unless the Oxford County commissioners fulfill the following requirements: conduct two public hearings in the area served by the office; vote to close the office on a date certain; duplicate all historical maps and plot plans and provide copies to the member towns; make provisions for preservation of and access to the record books; provide online access to all documents; make electronic recording of documents available; and provide electronic recording at no additional cost or surcharge for municipal governments. Upon fulfilling these requirements, the county commissioners may close the Fryeburg Office.

Public Law 2017, chapter 330 was enacted as an emergency measure effective March 7, 2018.

**LD 1764**

**An Act To Streamline Advocacy for Maine Small Businesses by Relocating the Bureau of the Special Advocate within the Department of the Secretary of State to the Department of Economic and Community Development**

**Died Between Houses**

Sponsor(s)

STETKIS J

Committee Report

ONTP  
OTP-AM

Amendments Adopted

This bill relocates the Bureau of the Special Advocate from the Department of the Secretary of State to the Department of Economic and Community Development.

**Committee Amendment "A" (H-638)**

**Joint Standing Committee on State and Local Government**

This amendment is the minority report of the committee. The amendment adds an appropriations and allocations section to the bill.

**LD 1776 An Act To Establish Requirements for Civil Deputies**

**PUBLIC 332**

<u>Sponsor(s)</u>	<u>Committee Report</u>	<u>Amendments Adopted</u>
DION M	OTP-AM	S-361

This bill enacts a definition of "civil deputy," codifies the designation and duties of civil deputies, requires payment to civil deputies at a reasonable rate of compensation established by the county commissioners and authorizes sheriffs to adopt rules, procedures and requirements applicable to civil deputies.

**Committee Amendment "A" (S-361)**

This amendment specifies that a sheriff may adopt rules, procedures and requirements related to the training of a civil deputy, as well as related to the qualifications of a civil deputy as provided in the bill.

**Enacted Law Summary**

Public Law 2017, chapter 332 enacts a definition of "civil deputy," codifies the designation and duties of civil deputies, requires payment to civil deputies at a reasonable rate of compensation established by the county commissioners and authorizes sheriffs to adopt rules, procedures and requirements related to the qualifications and training of a civil deputy and the service of civil process.

**LD 1794 An Act To Allow the Efficient and Responsible Acquisition and Sale of Property by the Department of Administrative and Financial Services**

**Accepted Majority (ONTP) Report**

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

This bill authorizes the Department of Administrative and Financial Services, Bureau of General Services to acquire real estate determined necessary to meet the needs of the State. It authorizes the sale or disposition of real property determined necessary to maximize financial return and to manage the long-term planning needs of the State. It requires that a current opinion of value by a real estate appraiser be obtained and that the purchase or sale price reflect the opinion and current market conditions when the State enters into a real estate transaction.

**LD 1804 Resolve, Authorizing the Commissioner of Administrative and Financial Services To Sell, Lease or Convey the Interests of the State in Certain Real Property Located in Augusta, Bucksport, Limestone, Brookton Township and Rockwood Strip Township**

**RESOLVE 34**

<u>Sponsor(s)</u>	<u>Committee Report</u>	<u>Amendments Adopted</u>
DAVIS P	OTP-AM	S-367

This resolve authorizes the Commissioner of Administrative and Financial Services to sell, lease or convey the interests of the State in certain property located in Augusta, Bangor, Limestone, Bucksport, T2 R8 NWP of the Unorganized Territory of Penobscot County, Brookton Township and Rockwood Strip, T1 R1 NBKP.