

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 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.

Joint Standing Committee on State and Local Government

Committee Amendment "A" (S-367)

This amendment removes the authority granted in the resolve to the Commissioner of Administrative and Financial Services to sell or lease state property located in Bangor and in T2 R8 NWP of the Penobscot County Unorganized Territory. The amendment also adds language to the resolve regarding the property authorized to be sold or leased in Rockwood Strip to include a parcel of land of approximately 6.35 acres in addition to the parcel of 0.36 acre specified in the resolve.

Enacted Law Summary

Resolve 2017, chapter 34 authorizes the Commissioner of Administrative and Financial Services to sell, lease or convey the interests of the State in certain property located in Augusta, Limestone, Bucksport, Brookton Township and Rockwood Strip, T1 R1 NBKP.

LD 1828 An Act To Validate Certain Proceedings Authorizing the Issuance of Bonds and Notes by the City of Bath

**P & S 15
EMERGENCY**

<u>Sponsor(s)</u>	<u>Committee Report</u>	<u>Amendments Adopted</u>
DECHANT J VITELLI E	OTP	

This bill validates the referendum conducted in the City of Bath on November 7, 2017. It authorizes the City of Bath to enter into contracts and issue bonds or notes of the city in an amount not to exceed \$2,800,000 to finance sidewalks and street and road construction, reconstruction and paving projects.

Enacted Law Summary

Private and Special Law 2017, chapter 15 validates the referendum conducted in the City of Bath on November 7, 2017. It authorizes the City of Bath to enter into contracts and issue bonds or notes of the city in an amount not to exceed \$2,800,000 to finance sidewalks and street and road construction, reconstruction and paving projects.

Private and Special Law 2017, chapter 15 was enacted as an emergency measure effective April 15, 2018.

LD 1840 An Act To Revise the Municipal Consolidation Referendum Process

PUBLIC 398

<u>Sponsor(s)</u>	<u>Committee Report</u>	<u>Amendments Adopted</u>
BRAKEY E ESPLING E	OTP-AM	S-418

This bill provides that if a municipality receives a petition proposing to form a joint charter commission for the purpose of consolidating with one or more municipalities, the municipal officers must hold a referendum to determine the willingness of the voters of the municipality to form a joint charter commission. If the referendum question is approved by a majority of voters in each municipality, a joint charter commission must be formed. It also provides that a municipality may not be a party to a consolidation agreement for 10 years, instead of three years as in current law, after the date a consolidation agreement is rejected. It also adds an exception to that 10-year period for when a majority of the municipal officers in each municipality subject to the rejected consolidation agreement vote to form a joint charter commission.

Committee Amendment "A" (S-418)

This amendment adds language to the bill to change the calculation of the number of signatures required for a petition for municipal consolidation to be based on the number of votes cast at the last gubernatorial election, rather