

MAINE STATE LEGISLATURE

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STATE OF MAINE
129TH LEGISLATURE
FIRST REGULAR SESSION



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

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

August 2019

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129TH LEGISLATURE
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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 129th 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 129th Legislature is Thursday, September 19, 2019. 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 42 An Act To Provide for Nonpartisan Elections for the Office of District Attorney ONTP

<u>Sponsor(s)</u>	<u>Committee Report</u>	<u>Amendments Adopted</u>
CEBRA R	ONTP	

This bill requires that a district attorney be elected on a nonpartisan ballot and that a vacancy in the office be filled without regard to political affiliation. A candidate for district attorney must file by nomination petition and may not include party affiliation. The candidate is not required to unenroll from a party.

LD 53 An Act To Clarify Local Referendum Ballots PUBLIC 58

<u>Sponsor(s)</u>	<u>Committee Report</u>	<u>Amendments Adopted</u>
SANBORN H	OTP-AM	S-41

This bill requires municipalities, for all initiative and referendum questions listed on election ballots, use sequential capital letters of the alphabet and not sequential numbers as required by Maine Revised Statutes, Title 21-A, section 906, subsection 7.

Committee Amendment "A" (S-41)

This amendment allows, but does not require, municipal officers to use sequential capital letters for municipal initiative and referendum questions. This amendment clarifies that Maine Revised Statutes, Title 21-A, section 906, subsection 7, is applicable to municipal initiative and referendum questions except for the sequential numbering requirement.

Enacted Law Summary

Public Law 2019, chapter 58 permits municipalities to use sequential capital letters instead of sequential numbering for municipal initiative and referendum questions.

**LD 58 RESOLUTION, Proposing an Amendment to the Constitution of Maine Accepted Majority
To Extend the Terms of Legislators to 4 Years (ONTP) Report**

<u>Sponsor(s)</u>	<u>Committee Report</u>	<u>Amendments Adopted</u>
NADEAU C CHENETTE J	ONTP OTP-AM	

This resolution proposes to amend the Constitution of Maine to increase the length of the terms of State Senators and members of the House of Representatives from 2 years to 4 years beginning in 2022.

Committee Amendment "A" (H-419)

This amendment is the minority report of the committee. It increases the term of office for Representatives and Senators to include two 4-year terms and one 2-year term within 10-year cycles starting with the general election in 2022. To stagger terms within the 10-year cycle, the House and Senate districts are divided as equally as possible into 3 groups with terms as follows: the first group follows a cycle of one 4-year term followed by one 2-year term followed by one 4-year term; the second group follows a cycle of one 2-year term followed by two 4-year terms; and the third group follows a cycle of two 4-year terms followed by one 2-year term.

Joint Standing Committee on State and Local Government

This amendment was not adopted.

LD 59 An Act To Permit Plantations To Fill Vacancies of Town Officials

**PUBLIC 18
EMERGENCY**

<u>Sponsor(s)</u>	<u>Committee Report</u>	<u>Amendments Adopted</u>
DEVIN M	OTP-AM	H-8

This bill establishes a procedure for a plantation to recall an elected official due to neglect of duty or misconduct.

Committee Amendment "A" (H-8)

This amendment strikes the bill except for the emergency preamble and clause. This amendment applies town law to plantations with respect to filling a vacancy in the office of a plantation official.

Enacted Law Summary

Public Law 2019, chapter 18 applies town law to plantations with respect to filling a vacancy in a plantation office.

Public Law 2019, chapter 18 was enacted as an emergency measure effective April 5, 2019.

**LD 90 An Act To Amend the Law Governing the Membership of the Town of
York Planning Board and the Town of York Appeals Board**

**P & S 3
EMERGENCY**

<u>Sponsor(s)</u>	<u>Committee Report</u>	<u>Amendments Adopted</u>
BLUME L LAWRENCE M	OTP-AM	H-36

This bill removes the requirement that at least one member of the Town of York Planning Board and the Town of York Appeals Board be a resident of the York Beach geographical area.

Committee Amendment "A" (H-36)

This amendment adds an emergency preamble and clause to the bill.

Enacted Law Summary

Private and Special Law 2019, chapter 3 repeals the section of law that requires one member of the Town of York Planning Board and one member of the Town of York Appeals Board be a resident of the York Beach geographical area.

Private and Special Law 2019, chapter 3 was enacted as an emergency measure effective April 11, 2019.

**LD 144 An Act To Opt Out of Federal Daylight Saving Time and To Ask the
United States Secretary of Transportation To Place the State in the
Atlantic Time Zone**

ONTP

<u>Sponsor(s)</u>	<u>Committee Report</u>	<u>Amendments Adopted</u>
KESSLER C GUERIN S	ONTP	