

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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STATE OF MAINE

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

This bill creates an exemption to federal law regarding the observation of so-called Eastern Daylight Saving Time. It requires the Secretary of State request the United States Secretary of Transportation place the State in the Atlantic Time Zone.

LD 170 **An Act To Prohibit Questions Regarding Criminal History on Certain State Employment Applications** PUBLIC 22

<u>Sponsor(s)</u>	<u>Committee Report</u>	<u>Amendments Adopted</u>
SHEATS B BELLOWS S	OTP	

This bill prohibits the State from including criminal history questions on employment application forms except when, due to the nature and requirements of the position, a person with a criminal history may be disqualified from eligibility. This bill applies to state employment with the legislative, executive and judicial branches of State Government and positions with quasi-independent state entities or public instrumentalities of the State. It does not apply to positions in school administrative units, municipalities, counties or other political subdivisions of the State.

Enacted Law Summary

Public Law 2019, chapter 22 prohibits the State from including criminal history questions on employment application forms except when, due to the nature and requirements of the position, a person with a criminal history may be disqualified from eligibility. It applies to state employment with the legislative, executive and judicial branches of State Government and positions with quasi-independent state entities or public instrumentalities of the State. It does not apply to positions in school administrative units, municipalities, counties or other political subdivisions of the State.

LD 179 **An Act To Change the Name of Columbus Day to Indigenous Peoples Day** PUBLIC 59

<u>Sponsor(s)</u>	<u>Committee Report</u>	<u>Amendments Adopted</u>
COLLINGS B CARPENTER M	OTP ONTP	

This bill changes the Columbus Day holiday in the State to Indigenous Peoples Day.

Enacted Law Summary

Public Law 2019, chapter 59 changes the Columbus Day holiday to the Indigenous Peoples Day holiday.

LD 209 **An Act To Prohibit Municipalities from Prohibiting Short-term Rentals** Accepted Majority (ONTP) Report

<u>Sponsor(s)</u>	<u>Committee Report</u>	<u>Amendments Adopted</u>
STROM S CYRWAY S	ONTP OTP-AM	

This bill prevents municipalities from prohibiting or restricting the use of short-term rentals except for narrowly tailored regulations to protect public health and safety.

Committee Amendment "A" (H-28)

Joint Standing Committee on State and Local Government

This amendment is the minority report of the committee. It prevents municipalities from prohibiting short-term rentals. It removes the 4-person limit in the definition of "short-term rental".

This amendment was not adopted.

LD 226 An Act To Require the Use of Preapproved Subcontractors for Publicly Funded Construction Projects ONTP

<u>Sponsor(s)</u>	<u>Committee Report</u>	<u>Amendments Adopted</u>
SYLVESTER M	ONTP	

This bill requires general contractors who bid on public improvement projects with a value over \$100,000 to use preapproved subcontractors for certain components of the project. It requires the Director of the Bureau of General Services to establish a process to solicit, accept and evaluate bids from subcontractors to be preapproved for future capital improvement contracts.

LD 257 An Act To Help Ensure That the Legislature Has the Information Necessary To Do the Work of the People of Maine PUBLIC 136

<u>Sponsor(s)</u>	<u>Committee Report</u>	<u>Amendments Adopted</u>
MIRAMANT D EVANGELOS J	OTP-AM OTP	S-76

This bill amends the chapter of the Maine Revised Statutes concerning interbranch communication and coordination to prohibit the Governor from limiting access to department commissioners and other executive branch personnel when the Legislature is seeking information necessary for the Legislature to do the work of the people of Maine.

Committee Amendment "A" (S-76)

This amendment is the majority report of the committee. It replaces the bill with several legislative findings emphasizing the Constitutional and historical basis for active participation of the executive branch in the legislative process to ensure informed and effective legislation.

Enacted Law Summary

Public Law 2019, chapter 136 enacts legislative findings emphasizing the Constitutional and historical basis for active participation of the executive branch in the legislative process to ensure informed and effective legislation.

LD 285 An Act To Provide for Legislative Review of Federally Mandated Major Substantive Rules under the Maine Administrative Procedure Act PUBLIC 29

<u>Sponsor(s)</u>	<u>Committee Report</u>	<u>Amendments Adopted</u>
ZEIGLER S HERBIG E	OTP ONTP	

This bill repeals the provision of law that exempts from legislative review major substantive rules adopted to comply with federal law or to qualify for federal funds.

Enacted Law Summary

Public Law 2019, chapter 29 repeals the provision of law that exempts from legislative review major substantive rules adopted to comply with federal law or to qualify for federal funds.