

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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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 456 An Act To Strengthen the Qualifications for County Sheriffs

PUBLIC 33

<u>Sponsor(s)</u>	<u>Committee Report</u>	<u>Amendments Adopted</u>
DESCHAMBAULT S COSTAIN D	OTP-AM	S-13

This bill requires the 5 years of supervisory experience required of candidates for the office of county sheriff be supervisory experience in law enforcement.

Committee Amendment "A" (S-13)

This amendment reduces the required number of years of supervisory experience for county sheriffs from five years to two years and expands the type of supervisory experience required to include corrections.

Enacted Law Summary

Public Law 2019, chapter 33 requires candidates for county sheriff to have at least two years of supervisory experience in law enforcement or corrections, or some combination of both.

LD 481 An Act To Allow the Expansion of the Types of Newspapers That Qualify as Legal Notice Publishers by Removing the 2nd Class Postal Matter Requirement

ONTP

<u>Sponsor(s)</u>	<u>Committee Report</u>	<u>Amendments Adopted</u>
MIRAMANT D MATLACK A	ONTP	

This bill removes from the law governing publication of legal notices, legal advertising and other matter required by law to be published in a newspaper, the requirement that, in order for a newspaper to be qualified as a medium for such publications, it must be entered as second class postal matter in the United States mails.

LD 482 An Act To Reduce the Participation Thresholds for Various Municipal Referenda and To Change the Measurement of Those Thresholds from Votes Cast for and against the Question to Votes in Favor of the Question

ONTP

<u>Sponsor(s)</u>	<u>Committee Report</u>	<u>Amendments Adopted</u>
POULIOT M DOORE D	ONTP	

This bill changes the voting thresholds required when a municipality votes to:

1. Withdraw from a Regional School Unit;
2. Adopt or revise its charter; and
3. Votes to deorganize.

This bill requires that for a vote to be valid in these situations a certain percentage of votes must be cast in favor of the measure. A vote to withdraw from a Regional School Unit is valid if the number of votes cast in favor of

Joint Standing Committee on State and Local Government

withdrawal equals or exceed 25% of the total votes cast in the municipality for Governor in the last gubernatorial election. A vote to adopt or revise a charter is valid if the number of votes cast in favor of the proposed change equals or exceeds 15% of the total votes cast in the municipality in the last gubernatorial election. A vote to deorganize is valid if the number of votes cast in favor of deorganization equals or exceeds 1/3 of the total votes cast in the municipality for Governor in the last gubernatorial election.

LD 489 An Act To Allow Municipalities To Enforce New Noise Ordinances on Existing Shooting Ranges ONTP

<u>Sponsor(s)</u>	<u>Committee Report</u>	<u>Amendments Adopted</u>
CHENETTE J BAILEY D	ONTP	

This bill gives municipalities the authority to adopt noise control or other ordinances for sport shooting ranges if the Commissioner of Public Safety approves the ordinance pursuant to criteria and a process established through rulemaking. Rules adopted by the Commissioner of Public Safety are major substantive.

**LD 520 An Act To Resolve Tie Votes by the Washington County Budget Advisory Committee PUBLIC 23
EMERGENCY**

<u>Sponsor(s)</u>	<u>Committee Report</u>	<u>Amendments Adopted</u>
TUELL W	OTP-AM	H-27

This bill provides that in the event of a tie vote on a budget item by the Washington County Budget Advisory Committee, the committee is required to present the item to the Washington County commissioners to decide by majority vote.

Committee Amendment "A" (H-27)

This amendment prevents a tie vote from occurring in the Washington County Budget Adviosry Committee by making the legislative member of the committee a nonvoting member, leaving an odd number of voting members.

Enacted Law Summary

Public Law 2019, chapter 23 makes the legislative delegate of the Washington County Budget Advisory Committee a nonvoting member.

Public Law 2019, chapter 23 was enacted as an emergency measure effective April 11, 2019.

LD 521 An Act To Amend the Archives and Records Management Law PUBLIC 50

<u>Sponsor(s)</u>	<u>Committee Report</u>	<u>Amendments Adopted</u>
JORGENSEN E DAVIS P	OTP-AM	H-52

This bill makes the following changes to the archives and records management law.

1. It specifies that it is the policy of the State to ensure that nonpermanent records are preserved for the time required by an approved records retention schedule.