

# MAINE STATE LEGISLATURE

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

129<sup>TH</sup> 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 129<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 date for non-emergency legislation enacted in the First Regular Session of the 129<sup>th</sup> 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.

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requirements, fiscal and audit requirements and historical and research value.

8. It specifies when local government records may be destroyed.
9. It changes the expertise of Archives Advisory Board members, the appointment of the members and the term.
10. It changes the reporting requirement for the Maine Historical Records Advisory Board report from the joint standing committee of the Legislature having jurisdiction over education and culture affairs to the joint standing committee of the Legislature having jurisdiction over the Maine State Archives.
11. It removes reference to a position that was eliminated in Public Law 2015, chapter 480.

### LD 554 An Act To Clarify the Authority To Recall Municipal Officials

ONTP

<u>Sponsor(s)</u>	<u>Committee Report</u>	<u>Amendments Adopted</u>
CLAXTON N	ONTP	

This bill repeals the provision in Maine Revised Statute, Title 30-A, section 2505 that limits the recall process for elected municipal officials to cases where the official is convicted of a crime, the conduct of which occurred during the official's term of office and the victim of which is the municipality.

### LD 563 An Act To Help Municipalities Prepare for Sea Level Rise

PUBLIC 153

<u>Sponsor(s)</u>	<u>Committee Report</u>	<u>Amendments Adopted</u>
BLUME L BREEN C	OTP-AM ONTP	H-180

This bill amends the State's growth planning and land use laws to reflect that addressing the effects of sea level rise is a state planning and regulatory goal. The bill amends the laws regarding the State's coastal management policies to direct state, local and certain federal agencies responsible for regulating, planning, developing or managing coastal resources to conduct their activities affecting the coastal area consistent with the policy of encouraging the assessment of and planning for the effects of the rise in sea level. The bill provides that a coastal municipality or multimunicipal region that includes a coastal municipality, if the municipality or region adopts a growth management program under the State's growth planning and land use laws, may include in its comprehensive plan projections regarding sea level changes and the potential effects of the rise in sea level and may develop a coordinated plan for addressing the effects of the rise in sea level. The bill also provides that "coastal municipality" means a municipality or township in the coastal zone as identified by a coastal program administered by the Department of Marine Resources.

#### Committee Amendment "A" (H-180)

This amendment in the majority report of the committee. It clarifies that a municipality or multimunicipal region that is in the "coastal area" as defined in Maine Revised Statutes, Title 38, section 1802 is subject to the bill. This amendment strikes the language in the bill requiring the state, local and federal agencies responsible for regulating, planning, developing or managing coastal resources conduct their activities affecting the coastal area consistent with the policy of encouraging the assessment of and planning for the effects of the rise in sea level.

#### Enacted Law Summary

Public Law 2019, chapter 153 encourages municipalities and multimunicipal regions to assess and plan for the

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effects of sea level rise on buildings, transportation infrastructure, sewage treatment facilities, and other state, regional, municipal, or privately held infrastructure property or resources.

**LD 572 An Act Regarding the State Bird**

**ONTP**

<u>Sponsor(s)</u>	<u>Committee Report</u>	<u>Amendments Adopted</u>
AUSTIN B DIAMOND B	ONTP	

This bill is a concept draft pursuant to Joint Rule 208. This bill proposes to specify the black-capped chickadee or the boreal chickadee as the state bird.

**LD 585 An Act To Allow the Adoption of Ordinances Prohibiting the Accumulation of Trash on Private Property in Plantations**

**PUBLIC 138**

<u>Sponsor(s)</u>	<u>Committee Report</u>	<u>Amendments Adopted</u>
MCCREA D VITELLI E	OTP-AM	H-187

This bill grants plantations the power to control junkyards and automobile graveyards in the same manner as municipalities. The bill grants to county commissioners the power to control junkyards and automobile graveyards in unorganized territories in the same manner as municipalities.

**Committee Amendment "A" (H-187)**

This amendment strikes out the title and everything after the enacting clause. It limits the applicability of the bill to plantations. It removes reference to junkyards and automobile graveyards. It grants plantations the authority to enact ordinances with respect to the accumulation of garbage, refuse, rubbish or trash or unwanted or discarded material of any kind on private property in the same manner as municipalities.

**Enacted Law Summary**

Public Law 2019, chapter 138 grants plantations the power to enact ordinances prohibiting the accumulation of garbage, refuse, rubbish or trash or unwanted or discarded material of any kind on private property in the same manner as municipalities.

**LD 592 Resolve, To Establish a Background Check Consolidation Commission**

**CARRIED OVER**

<u>Sponsor(s)</u>	<u>Committee Report</u>	<u>Amendments Adopted</u>
MCCREA D VITELLI E	OTP-AM ONTP	H-35

This resolve establishes the Background Check Consolidation Commission to study consolidating and centralizing criminal background checks mandated by state law as a prerequisite to employment, including background checks for teachers, state workers and persons seeking Maine Guide licenses. It prohibits the commission from studying background checks to obtain firearms.

**Committee Amendment "A" (H-35)**

This amendment is the majority report of the committee. It removes the emergency preamble and clause. It reduces the number of Senate members on the committee from four to two and increases the number of House members