

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.

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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

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from three to five. It adds the Commissioner of Administrative and Financial Services, or the commissioner's designee, to the Background Check Consolidation Commission. It moves the report deadline from December 4, 2019 to December 20, 2019.

This resolve was reported out of committee and then carried over to any special or regular session, or both, of the 129th Legislature on the Special Study Table by joint order, H.P. 1322.

**LD 623 An Act To Amend the Charter of the City of Brewer High School District P & S 6
EMERGENCY**

| <u>Sponsor(s)</u> | <u>Committee Report</u> | <u>Amendments Adopted</u> |
|--------------------|-------------------------|---------------------------|
| VEROW A LIBBY N | OTP-AM | H-71 |

This bill amends the charter of the City of Brewer High School District to provide that each trustee of the district receives annual compensation as determined by the city council and to provide that the president, treasurer and clerk receive additional annual compensation as determined by the city council.

Committee Amendment "A" (H-71)

This amendment adds an emergency preamble and clause to ensure the legislation becomes effective prior to the start of the City of Brewer's fiscal year 2019-20. This amendment requires that each City of Brewer High School District trustee receives the same amount of compensation and removes the provision regarding additional compensation for the president, treasurer and clerk.

Enacted Law Summary

Private and Special Law 2019, chapter 6 amends the City of Brewer High School District charter to provide equal compensation to all trustees, beginning in fiscal year 2019-20, in an amount determined by the City of Brewer council.

Private and Special Law 2019, chapter 6 was enacted as an emergency measure effective April 30, 2019.

**LD 655 An Act To Allow Municipalities To Send Separate Tax Bills for Municipal and County and School Taxes Accepted Majority
(ONTP) Report**

| <u>Sponsor(s)</u> | <u>Committee Report</u> | <u>Amendments Adopted</u> |
|----------------------|-------------------------|---------------------------|
| ORDWAY L FARRIN B | ONTP OTP | |

This bill permits municipalities to issue separate tax bills for taxes attributable to education funding, taxes attributable to county taxes, and all other municipal costs.

LD 687 Resolve, To Create a Flag To Recognize the Bicentennial of the State RESOLVE 22

| <u>Sponsor(s)</u> | <u>Committee Report</u> | <u>Amendments Adopted</u> |
|-------------------|-------------------------|---------------------------|
| COOPER J | OTP-AM ONTP | H-72 |