

MAINE STATE LEGISLATURE

The following document is provided by the
LAW AND LEGISLATIVE DIGITAL LIBRARY
at the Maine State Law and Legislative Reference Library
<http://legislature.maine.gov/lawlib>



Reproduced from electronic originals
(may include minor formatting differences from printed original)

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

MEMBERS:

SEN. NED CLAXTON, CHAIR
SEN. SUSAN DESCHAMBAULT
SEN. PAUL T. DAVIS

REP. ROLAND DANNY MARTIN, CHAIR
REP. MARK E. BRYANT
REP. ARTHUR C. VEROW
REP. SARAH PEBWORTH
REP. ROGER E. REED
REP. FRANCES M. HEAD
REP. MARYANNE KINNEY
REP. WILLIAM R. TUELL
REP. JEFFREY EVANGELOS
REP. WALTER N. RISEMAN

STAFF:

LYNNE CASWELL, LEGISLATIVE ANALYST
OFFICE OF POLICY AND LEGAL ANALYSIS
13 STATE HOUSE STATION
AUGUSTA, ME 04333
(207) 287-1670
<http://legislature.maine.gov/opla/>

STATE OF MAINE

129TH LEGISLATURE
FIRST REGULAR SESSION



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 replaces the current State of Maine flag with Maine's flag from 1909.

Committee Amendment "A" (H-72)

This amendment is the majority report of the committee. It strikes out the title and changes this bill into a resolve directing the Secretary of State to create a bicentennial flag for the State.

Enacted Law Summary

Resolve 2019, chapter 22 directs the Secretary of State to create, within existing resources, a commemorative flag in recognition and celebration of Maine's bicentennial.

LD 696 **An Act To Require Municipalities and School Districts To Provide Notice of Breaches in Personal Data Security** PUBLIC 512

| <u>Sponsor(s)</u> | <u>Committee Report</u> | <u>Amendments Adopted</u> |
|-------------------------|-------------------------|---------------------------|
| BELLOWS S DAUGHTRY M | OTP-AM | S-77 S-364 BREEN C |

This bill requires a public employer, if the public employer determines or suspects there has been a breach of confidentiality or theft of an employee's personal information due to cyber activity or other means, to notify the employee within 24 hours of being notified of or discovering the breach or theft and to provide the employee financial counseling.

Committee Amendment "A" (S-77)

This amendment strikes out the title and everything after the enacting clause. It amends the existing Notice of Risk to Personal Data Act in Maine Revised Statutes, Title 10, chapter 210-B to add municipalities and school administrative units to the entities obligated under the Act to provide notice in the event of a data breach. It clarifies that the notice must be given no later than 30 days after the information broker or person maintaining computerized data that includes personal information becomes aware of a security breach. It exempts municipalities and school administrative units from the civil violations provision of the Notice of Risk to Personal Data Act.

Senate Amendment "A" To Committee Amendment "A" (S-364)

This floor amendment clarifies that the 30-day notification requirement applies only if there is not a delay due to a law enforcement investigation.

Enacted Law Summary

Public Law 2019, chapter 512 requires municipalities and school administrative units provide notice in the event of a breach of data security. Notice must be provided no later than 30 days after the information broker or person maintaining the computerized data becomes aware of the breach of security and identifies its scope. Municipalities and school administrative units are one of several entities exempt from the civil penalties applicable for failure to comply with the statute.

LD 730 **An Act To Create the Substance Use Disorders Cabinet** ONTP

| <u>Sponsor(s)</u> | <u>Committee Report</u> | <u>Amendments Adopted</u> |
|--------------------------|-------------------------|---------------------------|
| HYMANSON P GRATWICK G | ONTP | |

Joint Standing Committee on State and Local Government

This bill establishes the Substance Use Disorders Cabinet. The cabinet consists of the commissioners from several executive branch agencies, the Chief Justice of the Supreme Judicial Court and, at the discretion of the Governor, one member of the public. The cabinet is established to promote interdepartmental collaboration on substance use disorders policy development and program implementation and to support service delivery in an integrated manner.

LD 744 Resolve, Authorizing the Commissioner of Administrative and Financial Services To Convey the Interests in Certain Real Property Located in East Millinocket RESOLVE 76

| <u>Sponsor(s)</u> | <u>Committee Report</u> | <u>Amendments Adopted</u> |
|-------------------|-------------------------|---------------------------|
| STANLEY S | OTP-AM | H-489 |

This resolve authorizes the Commissioner of Administrative and Financial Services to lease or sell the state property known as "the Dolby Landfill" located in the Town of East Millinocket.

Committee Amendment "A" (H-489)

This amendment gives the Town of East Millinocket the right of first refusal to purchase the state property at the broker's opinion of value. It clarifies that the State does not own the timber rights to the property and removes the lease option.

Enacted Law Summary

Resolve 2019, chapter 76 permits the Commissioner of the Department of Administrative and Financial Services to sell all or part of the property located in the Town of East Millinocket conveyed to the State by Katahdin Paper Company LLC on September 28, 2011 and recorded in the Penobscot County Registry of Deeds, Book 12608, Page 97-104. It gives the Town of East Millinocket the right of first refusal to purchase the state property at the broker opinion of value. Any proceeds from the sale must be deposited into the Department's Bureau of General Services' capital repair and improvement account for capital improvements. The resolve is repealed 5 years from its effective date.

LD 746 An Act To Allow Municipalities To Determine the Duration of Development Districts Funded by Assessments PUBLIC 140

| <u>Sponsor(s)</u> | <u>Committee Report</u> | <u>Amendments Adopted</u> |
|------------------------|-------------------------|---------------------------|
| JORGENSEN E LIBBY N | OTP | |

This bill repeals the 30-year limit on the duration of a development district created by a municipality or plantation and funded by assessments. Development districts that are a tax increment financing district remain subject to the 30-year limitation.

Enacted Law Summary

Public Law 2019, chapter 140 permits a development district established by a municipality or plantation and funded by assessments to be of unlimited duration unless a limitation on duration is established by the legislative body of the municipality or plantation adopting the development district.