

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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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/>

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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 conforms the disclosure requirements for transfers of residential and nonresidential properties that are accessed by means other than a public way.

Enacted Law Summary

Public Law 2019, chapter 142 requires the seller of nonresidential real property to provide the purchaser with a disclosure statement containing information describing the means of access to the property by a public way and any other means of access.

LD 867 **An Act To Require Public Health Impact Statements for Certain Legislation** **ONTP**

<u>Sponsor(s)</u>	<u>Committee Report</u>	<u>Amendments Adopted</u>
MORALES V	ONTP	

This bill requires the Department of Health and Human Services, when requested by the chairs of a joint standing committee of the Legislature, to prepare and provide a public health impact statement for any work session scheduled before the requesting committee. The public health impact statement must include potential positive and negative public health effects of the legislation, considerations necessary for the decision-making process regarding the legislation and practical recommendations to increase the positive health effects and minimize the negative health effects of the legislation.

LD 885 **An Act To Adopt Eastern Daylight Time Year-round** **PUBLIC 268**

<u>Sponsor(s)</u>	<u>Committee Report</u>	<u>Amendments Adopted</u>
BAILEY D	OTP-AM	H-307

This bill requires the State to observe so-called eastern daylight saving time year-round if the United States Congress authorizes states to do so.

Committee Amendment "A" (H-307)

This amendment changes Maine's standard time to what is commonly known as eastern daylight time on a year-round basis when federal law permits the District of Columbia and all states within the eastern time zone to observe eastern daylight time year-round and the District of Columbia and all the eastern time zone states do so. This amendment requires the Secretary of State to monitor legislative activity by the United States Congress, the District of Columbia and all the eastern time zone states regarding year-round eastern daylight time and provide public notice when each of the conditions is met. The amendment specifies the start date of year-round eastern daylight time and requires the Secretary of State to provide public notice of the effective date.

Enacted Law Summary

Public Law 2019, chapter 268 sets Maine's standard time, year-round, to what is commonly known as eastern daylight time. Year-round eastern daylight time goes into effect when federal law permits the District of Columbia and all states within the eastern time zone to observe eastern daylight time year-round and the District of Columbia and all the eastern time zone states do so. The Secretary of State must monitor legislative activity by the United States Congress, the District of Columbia and all the eastern time zone states and provide public notice when each of the conditions is met. Year round eastern daylight time is effective immediately upon the fulfillment of both conditions if the State is observing eastern daylight time on the date both conditions are met. Year-round eastern daylight time is effective on the next start date of eastern daylight time after both conditions are met if the State is

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not observing eastern daylight time on the date both of the conditions are met.

LD 928 An Act To Create a Process To Preempt the Implementation of Powers Delegated by the Legislature ONTP

<u>Sponsor(s)</u>	<u>Committee Report</u>	<u>Amendments Adopted</u>
ACKLEY K	ONTP	

This bill is a concept draft pursuant to Joint Rule 208. This bill proposes to create a process to allow the Legislature to preempt the implementation of powers delegated by the Legislature.

LD 933 Resolve, Authorizing Certain Persons To Sue the Town of Kittery Leave to Withdraw Pursuant to Joint Rule

<u>Sponsor(s)</u>	<u>Committee Report</u>	<u>Amendments Adopted</u>
RYKERSON D LAWRENCE M		

This resolve authorizes persons who claim to have suffered damages arising from the Kittery Community Center transport van accident on Interstate 95 in Greenland, New Hampshire on August 10, 2018 to sue the Town of Kittery for damages resulting from the accident and waives the statutory limitations on damage recovery.

LD 940 An Act To Increase the Number of Franklin County Commissioners PUBLIC 362

<u>Sponsor(s)</u>	<u>Committee Report</u>	<u>Amendments Adopted</u>
RILEY T BLACK R	OTP-AM	H-488 S-266 CLAXTON N

This bill increases the number of Franklin County commissioner districts from three to five beginning with the election to be held November 3, 2020. This bill sets out the geographic boundaries of the five districts.

Committee Amendment "A" (H-488)

This amendment strikes out everything after the enacting clause. This amendment increases the number of commissioner districts in Franklin County from three to five beginning with the first election held after the 2021 redistricting provided the increase is approved by a majority of the legal voters in Franklin County by referendum ballot at the next general election held in November, 2020. This amendment requires the next redistricting to follow as closely as practicable, the geographic description of each district as set forth in the bill. This amendment provides that the term of office for the three county commissioners elected in 2020 expires in 2022. This amendment changes the staggered terms of the five districts so that the initial term for the county commissioners elected for Districts One, Two and Three, is two years followed by four-year terms. The commissioners elected for Districts Four and Five have a four-year.

Senate Amendment "A" To Committee Amendment "A" (S-266)

This amendment makes a technical correction to reflect that the current term of the commissioner for Commissioner District Three does not expire until 2022.

Enacted Law Summary