

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

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

Joint Standing Committee on State and Local Government

Public Law 2019, chapter 362 increases the number of county commissioner districts in Franklin County from three to five effective at the first election held after the 2021 redistricting provided the majority of legal voters in Franklin County vote in favor of the increase by referendum ballot held at the next general election in November 2020. It requires the next redistricting to follow as closely as practicable, the geographic description of each district as set forth in the bill. The term of office for the five commissioners is four years with staggered terms. The commissioners elected to Districts One, Two and Three in 2022 serve an initial two-year term. The commissioners elected to Districts Four and Five in 2022 serve four year terms from the start.

LD 948 An Act To Restrict Ordinances That Affect the Posting of Property for Municipal and Private Land ONTP

<u>Sponsor(s)</u>	<u>Committee Report</u>	<u>Amendments Adopted</u>
COREY P KEIM L	ONTP	

This bill provides that a municipality or political subdivision of the State may not enact an ordinance, law or rule regulating the posting of property by marking with signs or paint that is different from the provisions in state law regulating the posting of property by marking with signs or paint.

LD 953 An Act To Enact a Vehicle Use Ordinance for Monhegan Plantation ONTP

<u>Sponsor(s)</u>	<u>Committee Report</u>	<u>Amendments Adopted</u>
DEVIN M	ONTP	

This bill is a concept draft pursuant to Joint Rule 208. This bill proposes to enact an ordinance for Monhegan Plantation related to vehicle use in Monhegan Plantation; due to its status as a plantation, Monhegan Plantation is restricted under current law in its ability to enact such ordinances.

LD 970 An Act To Encourage Policies Regarding Accessory Dwelling Units under Local Comprehensive Plans and Zoning Requirements PUBLIC 145

<u>Sponsor(s)</u>	<u>Committee Report</u>	<u>Amendments Adopted</u>
CAMPBELL D DIAMOND B	OTP-AM	H-179

This bill directs municipalities to develop policies in the comprehensive planning process that provide for accessory dwelling units, which are dwelling units located within a detached single-family dwelling unit.

Committee Amendment "A" (H-179)

This amendment expands the definition of "accessory dwelling unit" to include a dwelling unit attached to or detached from another single-dwelling unit. It clarifies that municipalities are encouraged, but not required, to develop policies during the comprehensive planning process that provide for accessory dwelling units. This amendment reorganizes the Maine Revised Statutes, Title 30-A, section 4236, subsection 3-A, paragraph G for ease of understanding.

Enacted Law Summary

Public Law 2019, chapter 145 encourages municipalities to develop policies that provide for accessory dwelling units which are defined as self-contained dwelling units located within, attached to or detached from a single-family