

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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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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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

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dwelling unit on the same parcel of land.

LD 1004 Resolve, To Direct the Department of Administrative and Financial Services To Study the Costs and Benefits of Telework to the State and Its Employees **RESOLVE 37**

<u>Sponsor(s)</u>	<u>Committee Report</u>	<u>Amendments Adopted</u>
BERRY S	OTP-AM	H-181

This bill requires that by 2030 at least 30% of state employees must be teleworking. Telework is defined as a flexible work arrangement under which an employee performs the duties and responsibilities of the employee's position from a location other than the office or location provided by the employer. The bill requires the Department of Administrative and Financial Services to annually report the State's progress toward this goal the joint standing committee of the Legislature having jurisdiction over state and local government matters.

Committee Amendment "A" (H-181)

This amendment changes the bill into a resolve directing the Department of Administrative and Financial Services to conduct a study of the costs and benefits of telework for the executive branch and its employees. The Department must report its findings and recommendations to the joint standing committee of the Legislature having jurisdiction over state and local government matters by October 1, 2020.

Enacted Law Summary

Resolve 2019, chapter 37 requires the Department of Administrative and Financial Services to conduct a study of the costs and benefits of telework for the executive branch and its employees. The Department must report its findings and recommendations to the joint standing committee of the Legislature having jurisdiction over state and local government matters by October 1, 2020. The Joint Standing Committee may introduce legislation to the 1st Regular Session of the 130th legislature.

LD 1011 An Act To Clarify Filing Requirements for Proposed Rules **PUBLIC 146**

<u>Sponsor(s)</u>	<u>Committee Report</u>	<u>Amendments Adopted</u>
MILLETT R PIERCE T	OTP-AM	S-73

This bill clarifies that when an agency provides notice to the Legislature of a proposed rule or the adoption of an emergency rule, it must identify whether the proposed rule or adopted emergency rule is a routine technical rule or a major substantive rule.

Committee Amendment "A" (S-73)

This amendment adds the requirement that the public notice for proposed and adopted rulemaking identify whether the rule is routine technical or major substantive as those terms are defined in Maine Revised Statutes, Title 5, section 8071, subsection 2.

Enacted Law Summary

Public Law 2019, chapter 146 requires the public notice and notice to the Legislature of any proposed or adopted rulemaking indicate whether the rule is routine technical or major substantive as those terms are defined in Maine Revised Statutes, Title 5, section 8071.