

# MAINE STATE LEGISLATURE

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**STATE OF MAINE**  
129<sup>TH</sup> 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/>

# STATE OF MAINE

129<sup>TH</sup> 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 129<sup>th</sup> 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 129<sup>th</sup> 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*

**LD 1054 An Act To Clarify the Use of Burying Grounds and Family Burying Grounds**

**CARRIED OVER**

<u>Sponsor(s)</u>	<u>Committee Report</u>	<u>Amendments Adopted</u>
BAILEY D	ONTP OTP	

This bill clarifies the law relating to burying grounds not larger than 1/2 of an acre and family burying grounds not larger than 1/4 of an acre. The description of both types of burying grounds must be recorded in the appropriate registry of deeds. Both are exempt from minimum lot size, and road frontage or other dimensional requirements of any land use regulation or ordinance. The appropriation of either does not create a lot or lots for purposes of subdivision regulation. Burying grounds not larger than 1/2 of an acre are exempt from attached and execution, and are indivisible by the owners without the consent of all the owners. The easement retained by the descendants of any person interned in a family burying ground may be used at reasonable hours using a reasonably convenient route established in a conveyance of the surrounding property, in a direct route from the public way nearest the burying ground, or by another route of equal convenience designated by the owner of the property surrounding the family burying ground.

This bill was carried over to any special or regular session, or both, of the 129th Legislature by joint order, H.P. 1322.

**LD 1065 An Act To Expand Health Insurance Coverage To Certain State Employees**

**CARRIED OVER**

<u>Sponsor(s)</u>	<u>Committee Report</u>	<u>Amendments Adopted</u>
HICKMAN C SANBORN H	OTP-AM ONTP	H-292

This bill requires the State to pay its share of the employee health insurance plan premium for seasonal or session-only employees regardless of whether the employee is in active work status, except when the seasonal or session-only employee has health coverage under another plan.

**Committee Amendment "A" (H-292)**

This amendment is the majority report of the committee. It requires the State Budget Officer to calculate the increased cost to state departments and agencies due to the requirements of the bill and to transfer the required amounts by financial order. This amendment also adds an appropriations and allocations section.

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

**LD 1066 An Act To Address Municipal Conflicts of Interest**

**ONTP**

<u>Sponsor(s)</u>	<u>Committee Report</u>	<u>Amendments Adopted</u>
SAMPSON H LIBBY N	ONTP	

This bill prohibits a municipal treasurer, tax collector or town officer performing the duties of either, from simultaneously acting as the municipality's code enforcement officer. The bill requires the town manager to

## ***Joint Standing Committee on State and Local Government***

implement a training program for municipal officers and employees on the ethical standards applicable to and the performance risks associated with hiring professional consultants. The bill prohibits a person contracted to provide professional services to a municipality from having a direct or indirect pecuniary interest in the business of the municipality.

**LD 1086**      **An Act To Promote the Goals of the Low-emission Vehicle Program by**                                 **ONTP**  
**Requiring That New Vehicle Purchases for the State Fleet Be Composed**  
**of a Minimum Percentage of Zero-emission Vehicles**

<u>Sponsor(s)</u>	<u>Committee Report</u>	<u>Amendments Adopted</u>
FOLEY R TUCKER R	ONTP	

This bill promotes the goals of the State's low-emission vehicle program by requiring the Department of Administrative and Financial Services, Bureau of General Services, Central Fleet Management Division to purchase a certain percentage of zero-emission vehicles each year. Starting in fiscal year 2020-21, zero-emission vehicles must equal 15% of all purchases. The requirement is increased each year by 5% until fiscal year 2027-28 when 50% of the state fleet vehicles purchases must be zero-emission vehicles. Zero-emission vehicles include battery electric vehicles, plug-in hybrid electric vehicles and fuel cell vehicles.

**LD 1102**      **An Act To Remove a Reference to Constables in the Law Governing**                                 **PUBLIC 147**  
**Execution of Process**

<u>Sponsor(s)</u>	<u>Committee Report</u>	<u>Amendments Adopted</u>
STETKIS J	OTP	

This bill removes constables from the list of persons allowed to execute legal process at the direction of county commissioners.

**Enacted Law Summary**

Public Law 2019, chapter 147 removes constables from the list of persons allowed to execute legal process at the direction of county commissioners.

**LD 1128**      **An Act To Clarify Statutes Related to Establishing a Municipal Charter**                                 **PUBLIC 149**  
**Commission**

<u>Sponsor(s)</u>	<u>Committee Report</u>	<u>Amendments Adopted</u>
CLAXTON N	OTP	

This bill differentiates the language used for a petition to establish a charter commission for purposes of creating a new municipal charter from the language used for a petition to establish a charter commission to revise an existing charter.

**Enacted Law Summary**

Public Law 2019, chapter 149 differentiates the language used for a petition to establish a charter commission for purposes of creating a new municipal charter from the language used for a petition to establish a charter commission to revise an existing charter.