

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

LD 1151 **An Act To Ensure Consistency in Commercial Real Estate Law by Restoring Due Diligence Responsibility to the Buyer**

Accepted Majority (ONTP) Report

<u>Sponsor(s)</u>	<u>Committee Report</u>	<u>Amendments Adopted</u>
MARTIN J JACKSON T	ONTP OTP	

This bill repeals the requirement that a seller of nonresidential real estate provide the purchaser a property disclosure statement that includes information about any abandoned or discontinued roads, public easements or private roads on or abutting the property, if known by the seller, and who is responsible for maintenance of such roads or easements, including any responsible road association, if known by the seller.

LD 1176 **An Act Regarding Caretakers of Ancient Burying Grounds and Access to Ancient Burying Grounds**

ONTP

<u>Sponsor(s)</u>	<u>Committee Report</u>	<u>Amendments Adopted</u>
MIRAMANT D MCCREIGHT J	ONTP	

This bill allows a descendant of an individual buried in an ancient burying ground to designate a caretaker if the municipality is unable to care for the burying ground or does not designate a caretaker. This bill clarifies that if the person who owns a parcel of land that contains an ancient burying ground denies access to the municipality the designated caretaker that person shall assume responsibilities for the maintenance duties.

LD 1209 **An Act To Require Legislative Hearings on Citizen-initiated Legislation**

PUBLIC 152

<u>Sponsor(s)</u>	<u>Committee Report</u>	<u>Amendments Adopted</u>
BRADSTREET D	OTP-AM	H-204

This bill requires a public hearing be held before a joint standing committee of the Legislature or a special legislative committee established by the Legislative Council for a petition for the direct initiative of legislation. The public hearing must be conducted in the same manner as other public hearings.

Committee Amendment "A" (H-204)

This amendment permits the Legislature to waive the public hearing requirement by a 2/3 vote of those present in each House of the Legislature.

Enacted Law Summary

Public Law 2019, chapter 152 requires the Legislature hold a public hearing on a petition for direct initiative submitted in accordance with the Constitution of Maine, Article IV, Part Third, Section 18. The public hearing must be conducted in the same manner as other public hearings and must be held by the joint standing committee of the Legislature having jurisdiction over the subject matter of the direct initiative or by a special legislative committee established for that purpose by the Legislative Council. The public hearing requirement may be waived by a 2/3 vote of the members present in each House of the Legislature.