

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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129TH 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 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 1458 An Act To Protect Taxpayers in the Privatization of State Services

CARRIED OVER

<u>Sponsor(s)</u>	<u>Committee Report</u>	<u>Amendments Adopted</u>
BELLOWS S MARTIN D		

This bill creates a process by which a state agency can enter a privatization contract with a nongovernmental entity to perform basic agency services for up to five years if a number of criteria are met, including:

1. Wages and benefits for employees of the contractor are comparable to state employees performing the same services;
2. The contractor endeavors to hire agency employees terminated due to the privatization;
3. The agency provides an estimate of its costs in providing the subject services in the most efficient manner;
4. The agency provides support and resources to allow agency employees to submit a competing bid to provide the privatized services;
5. The agency considers as a contract cost any income tax revenue lost to the State as a result of services to be performed out of state under the contract; and
6. The Attorney General performs a review to determine that all of the requirements of the bidding process and privatization contract have been met.

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

**LD 1462 RESOLUTION, Proposing an Amendment to the Constitution of Maine
To Provide 4-year Terms for Senators and To Set Term Limits for
Legislators**

ONTP

<u>Sponsor(s)</u>	<u>Committee Report</u>	<u>Amendments Adopted</u>
CARPENTER M HARNETT T	ONTP	

This resolution proposes to amend the Constitution of Maine to change the term of office for State Senators from 2 years to 4 years and change the number of consecutive years members of the State Senate and House of Representatives may serve from 8 years to 12 years.

**LD 1470 An Act To Allow the Prohibition of Weapons at Public Proceedings and
Voting Places**

**Accepted Majority
(ONTP) Report**

<u>Sponsor(s)</u>	<u>Committee Report</u>	<u>Amendments Adopted</u>
BREEN C BRENNAN M	ONTP OTP-AM	

Joint Standing Committee on State and Local Government

This bill allows a political subdivision to prohibit the carrying of dangerous weapons at public proceedings and at voting places. It provides an exception to allow the carrying of a handgun by an on-duty law enforcement officer. It defines "political subdivision" as any municipality, plantation, county, quasi-municipal corporation or special purpose district, including, but not limited to, any water district, sanitary district, hospital district, municipal transmission and distribution utility and school administrative unit.

Committee Amendment "A" (S-249)

This amendment, which is the minority report of the committee, incorporates a fiscal note.

This amendment was not adopted.

LD 1476 An Act To Clarify Recounts in Municipal Elections

PUBLIC 288

<u>Sponsor(s)</u>	<u>Committee Report</u>	<u>Amendments Adopted</u>
HANDY J	OTP-AM	H-421

This bill repeals the law governing a municipal candidate's inspection of ballots and incoming voting lists and amends the law governing the municipal referendum recount procedure. It sets out: a method to establish official representatives of both sides of a referendum issue; the date of the recount; the method of counting the votes; the availability of election materials for inspection; the resolution of disputed ballots; the resealing of recounted ballots; and the certification of the election results.

Committee Amendment "A" (H-421)

This amendment strikes everything after the enacting clause. It repeals and replaces Maine Revised Statutes, Title 30-A, section 2531-B, Recount of an election for office. Municipalities are given the option of a recount process other than that set out in Maine Revised Statutes, Title 21-A, section 737-A. It amends the referendum recount procedures in Maine Revised Statutes Title 30-A, section 2532 by establishing a process to identify the official representative of the voters seeking a referendum recount and an official representative of those opposed to the referendum recount.

Enacted Law Summary

Public Law 2019, chapter 288 sets out a process for municipalities to follow for recounts of an election for office. It provides a process for municipalities to follow to identify an official representative for those requesting a referendum recount and those opposed to a referendum recount.

LD 1489 RESOLUTION, Proposing an Amendment to the Constitution of Maine Regarding the Election of Senators

ONTP

<u>Sponsor(s)</u>	<u>Committee Report</u>	<u>Amendments Adopted</u>
HUTCHINS S	ONTP	

This resolution proposes to amend the Constitution of Maine to reduce the size of the Senate from no more than 35 members to 32 members as a result of reapportioning to two Senators per county. The resolution also requires the redrawing of district lines in 2022. The resolution increases the Senate term from two to four years.