

# 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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# 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***

This bill amends the provisions regarding the election and appointment of county commissioners in the following ways:

1. It requires that when a party is eligible to choose a candidate or nominee for a primary, general or special election for county commissioner by political committee, the members of the county political committee who reside within the boundaries of the district subject to the election make the choice of candidate or nominee;
2. It clarifies that when there is a vacancy during the term of office of a county commissioner prior to the general election held in the second year of the term, a special election must be held to elect a new county commissioner for the last two years of the term, and the election must be held within the boundaries that existed at the time of the original election for that term;
3. It requires that when the law provides that a county commissioner appointed by the Governor to fill a vacancy must be enrolled in the same political party as the commissioner whose term is vacant, the Governor is required to choose from any recommendations submitted by the members of the county committee of the political party from which the appointment is to be made who reside within the boundaries of the district with the vacancy that existed at the time of the initial election for that term;
4. It requires that the apportionment plan of county districts following a decennial census takes effect the second year after the decennial census for the year 2020 and every 20 years thereafter and the plan takes effect on the fourth year after the decennial census for the year 2030 and every 20 years thereafter; and
5. It amends the provisions creating each county's commissioner districts to eliminate staggered terms of commissioners so that, beginning in 2022, each four-year commissioner term expires in a year in which there is a gubernatorial election.

**LD 1667    An Act To Amend the Laws Governing the State Compensation Commission**

**PUBLIC 384  
EMERGENCY**

<u>Sponsor(s)</u>	<u>Committee Report</u>	<u>Amendments Adopted</u>
BABBIDGE C GRATWICK G	OTP-AM	H-422

This bill increases the annual salary of the Governor to \$141,000 beginning in January 2023. It provides that beginning in January 2027, whenever a new Governor takes office, that Governor's annual salary must be adjusted by the percent change in the Consumer Price Index during the term of office of that Governor's predecessor subject to a limit of 3% per year.

This bill increases the annual salary of members of the Legislature to \$23,500 beginning in December 2022. The bill requires the Governor appoint two members of the State Compensation Commission and removes language that provides that one member is appointed by a majority of the members of the commission. The bill increases the term of Commission members to four years and provides for staggered terms.

**Committee Amendment "A" (H-422)**

This amendment strikes the bill. It adds an emergency preamble and clause. It amends the statutory reporting requirements of the State Compensation Commission by eliminating alternate year interim reports and adding a provision that the final report, due January 15th of every even-numbered year, be submitted to the joint standing committee of the Legislature having jurisdiction over state and local government. The amendment authorizes the joint standing committee of the Legislature having jurisdiction over state and local government matters to introduce legislation based on the commission's report.

*Joint Standing Committee on State and Local Government*

**Enacted Law Summary**

Public Law 2019, chapter 384 requires the State Compensation Commission submit a report by January 15th of every even-numbered year to the Legislature and the joint standing committee of the Legislature having jurisdiction over state and local government matters. In the last year of a gubernatorial term the report must include recommendations on compensation of the Governor. The joint standing committee of the Legislature having jurisdiction over state and local government matters may introduce legislation based upon the report of the commission.

Public Law 2019, chapter 384 was enacted as an emergency measure effective June 19, 2019.

**LD 1697 An Act Regarding the Timeliness of Payments to the State**

**PUBLIC 326**

<u>Sponsor(s)</u>	<u>Committee Report</u>	<u>Amendments Adopted</u>
MARTIN D CLAXTON N	OTP-AM	H-479

This bill requires certain payments due the State and made through the use of automated procedures, electronic processes and computer-driven technology be deposited in the State Treasury within three business days of the date of the transaction initiated by the obligor. It allows the Treasurer of State and the State Controller to adopt routine technical rules outlining procedures for the use of these payment methods. It prohibits any rule adopted from waiving prohibitions against deductions on account of salaries, fees, costs, charges, expenses, refunds, claims or demands of any description whatsoever.

**Committee Amendment "A" (H-479)**

This amendment clarifies that the bill applies to payments from departments and agencies of the State to the State Treasury. It removes the three-day requirement for payments and directs the Treasurer of State and the State Controller to adopt major substantive rules outlining procedures for the use of automated procedures, electronic processes and computer-driven technology.

**Enacted Law Summary**

Public Law 2019, chapter 326 directs state agencies and departments that make payment to the State Treasury through the use of automated procedures, electronic processes, and computer-driven technology make such payments in accordance with requirements established by the Treasure of the State and the State Controller through major substantive rulemaking.

**LD 1708 An Act To Provide for the Merger of Hospital Administrative District No. 4 into MRH Corp., a Maine Nonprofit, Nonstock Private Corporation**

**P & S 14  
EMERGENCY**

<u>Sponsor(s)</u>	<u>Committee Report</u>	<u>Amendments Adopted</u>
HIGGINS N DAVIS P	OTP-AM	H-537 S-367 BREEN C

This bill authorizes the merger of Mayo Regional Hospital into a new entity to be known as MRH Corp., a Maine nonprofit, nonstock private corporation that has as its sole member Eastern Maine Healthcare Systems. Upon the effective date of the merger, the district is dissolved and Private and Special Law 1973, chapter 76 is repealed.