

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.

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.

Joint Standing Committee on State and Local Government

Committee Amendment "A" (H-537)

This amendment clarifies that Hospital Administrative District No. 4 is the party to the merger and that the district's quasi-municipal rights, privileges and immunities do not transfer to the new nonprofit corporation created by the merger. It clarifies that upon the merger, Mayo Regional Hospital is no longer a municipally funded hospital under the Maine Revised Statutes, Title 36, section 2891. It adds reference to the advisory vote of the district inhabitants required by Private and Special Law 2019, chapter 5. It conditions the merger on the assumption by the new corporation of all the obligations and liabilities of the district. It removes the exemption from antitrust laws and stipulates that the merger is subject to the certificate of need process outlined in Maine Revised Statutes, Title 22, chapter 103-A. It requires the Secretary of State to notify the Joint Standing Committee on State and Local Government when the articles of merger have been filed with and accepted by the Secretary of State. It requires the joint standing committee, once notified that the articles of merger have been accepted, to introduce legislation to repeal the district charter and remove reference to Mayo Regional Hospital from Maine's tax code. The amendment also adds an appropriations and allocations section.

Senate Amendment "A" To Committee Amendment "A" (S-367)

This amendment strikes and replaces the appropriations and allocations section.

Enacted Law Summary

Private and Special Law 2019, chapter 14 authorizes the merger of Hospital Administrative District No. 4 into MRH Corp., a Maine nonprofit, nonstock private corporation that has as its sole member Eastern Maine Healthcare Systems. It provides that MRH Corp assumes all the obligations and liabilities of the district and that the district's quasi-municipal rights, privileges and immunities do not transfer to MRH Corp. It requires the Secretary of State notify the joint standing committee on State and Local Government when the articles of merger have been filed with and accepted by the Secretary of State. Once notified by the Secretary of State the joint standing committee will introduce legislation to repeal the district charter, Private and Special Law 1973, chapter 76, and remove reference to Mayo Regional Hospital from Maine Revised Statutes, Title 36, section 2891.

Private and Special Law 2019, chapter 14 was enacted as an emergency measure effective June 28, 2019.

LD 1733 An Act To Ensure Comprehensive Interdepartmental Planning, Coordination and Collaboration on Aging Policy

CARRIED OVER

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

This bill creates the position of Director of Aging in the Governor's Office of Policy and Management to oversee the planning and policy development for all functions and activities conducted or supported in the State that relate to aging, older adults and family care partners of older adults, including, but not limited to, promoting intergovernmental collaboration in meeting established aging policy objectives and managing the coordination of multiple-agency initiatives related to policy objectives. The bill amends the requirements for preparing and implementing a comprehensive state plan relating to Maine's aging population and incapacitated and dependent adults. The bill establishes a State Commission on Aging to advise the Governor, Legislature and state agencies on planning, research and intergovernmental cooperation related to the needs of older adults in the State. The bill authorizes the Revisor of Statutes, in preparing legislation, to change any terms that refer to "elderly," "elder" or "senior" individuals to refer instead to "older" individuals.

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