

STATE OF MAINE
127TH LEGISLATURE
FIRST REGULAR SESSION



Summaries of bills, adopted amendments and laws enacted or finally passed

**JOINT STANDING COMMITTEE ON STATE AND
LOCAL GOVERNMENT**

August 2015

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Joint Standing Committee on State and Local Government

LD 6 Resolve, To Implement Recommendations of the Government Oversight Committee To Strengthen the Ethics Practices and Procedures for Executive Branch Employees CARRIED OVER

<u>Sponsor(s)</u>	<u>Committee Report</u>	<u>Amendments Adopted</u>
	OTP-AM ONTP	H-52 H-87 KRUGER

This resolve implements the recommendations of the Government Oversight Committee stemming from two reports of the Office of Program Evaluation and Government Accountability: "Public Utilities Commission" and "Healthy Maine Partnerships' FY13 Contracts and Funding." The resolve directs the Department of Administrative and Financial Services to take certain steps to strengthen the ethics standards and practices for executive branch employees by developing a consolidated code based in part on recommendations contained in a December 2009 report to the Legislature from the Commission on Governmental Ethics and Election Practices entitled "Report on Ethics Laws for Executive Branch Employees." This resolve also requires the department to implement procedures for employees to seek guidance on ethics and to report potential ethics violations. The committee also is authorized to recommend to the Legislative Council a similar code of ethics and conduct for use by the Legislature.

Committee Amendment "A" (H-52)

This amendment is the majority report of the committee. It adds an appropriations and allocations section to the resolve.

House Amendment "A" To Committee Amendment "A" (H-87)

This amendment reduces from five to one the number of new positions authorized in the committee amendment and reduces the costs appropriated accordingly. This amendment also amends the reporting language to allow for the possibility that there may be implementation work going on beyond December 1, 2015.

This resolve was carried over on the Special Appropriations Table to any special or regular session of the 127th Legislature by joint order, S.P. 555.

LD 10 An Act To Establish Native American Heritage and Culture Day PUBLIC 19

<u>Sponsor(s)</u>	<u>Committee Report</u>	<u>Amendments Adopted</u>
MITCHELL DILL	OTP	

This bill establishes Native American Heritage and Culture Day to honor the service, sacrifice, heritage and cultural contributions of Maine Indian tribes.

Enacted Law Summary

Public Law 2015, chapter 19 establishes Native American Heritage and Culture Day to honor the service, sacrifice, heritage and cultural contributions of Maine Indian tribes.

Joint Standing Committee on State and Local Government

**LD 46 An Act To Allow Municipal Boards of Appeal To Grant Setback
Variances for Certain Hardships Caused by Prior Owners of the
Property ONTP**

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

Current law allows a municipality to grant a setback variance for single-family dwellings in cases of undue hardship, as long as the hardship is not the result of action taken by the applicant or a prior owner of the property. This bill allows a setback variance based on hardship to be granted even if the hardship is the result of action taken by a prior owner.

**LD 67 An Act To Amend the Law Regarding the Annual Municipal Report
Requirement ONTP**

<u>Sponsor(s)</u>	<u>Committee Report</u>	<u>Amendments Adopted</u>
VEROW DUTREMBLE	ONTP	

This bill makes the following changes regarding the statutory requirements regarding annual municipal reports.

1. It allows a summary of all financial transactions in lieu of a record of all financial transactions.
2. It makes the listing of delinquent taxpayers and engineering and survey reports optional.
3. It eliminates the penalty for a municipal official who refuses or neglects to perform a duty related to annual reporting.

**LD 80 RESOLUTION, Proposing an Amendment to the Constitution of Maine
To Lower the Age Requirement To Run for Legislative Office Died Between
Houses**

<u>Sponsor(s)</u>	<u>Committee Report</u>	<u>Amendments Adopted</u>
BRAKEY	OTP-AM ONTP	S-54

This resolution proposes a constitutional amendment to provide for lowering the age requirements to serve in the Maine House of Representatives from 21 to 18 years of age and to serve in the Maine Senate from 25 to 21 years of age.

Committee Amendment "A" (S-54)

This amendment is the majority report of the committee and incorporates a fiscal note.

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LD 82 An Act Concerning the Salary of Sheriffs

PUBLIC 41

<u>Sponsor(s)</u>	<u>Committee Report</u>	<u>Amendments Adopted</u>
DAVIS	OTP-AM	S-25

This bill specifies that the salary of an elected county sheriff may not be reduced during the sheriff's term unless the sheriff voluntarily agrees to the salary reduction.

Committee Amendment "A" (S-25)

This amendment replaces the bill and requires due notice and hearing prior to reducing a county sheriff's salary during the sheriff's term after a complaint of malfeasance, misfeasance, neglect or gross negligence against that county sheriff.

Enacted Law Summary

Public Law 2015, chapter 41 requires due notice and hearing prior to reducing a county sheriff's salary during the sheriff's term after a complaint of malfeasance, misfeasance, neglect or gross negligence against that county sheriff.

**LD 106 RESOLUTION, Proposing an Amendment to the Constitution of Maine
To Increase the Length of Terms of Senators to 4 Years**

ONTP

<u>Sponsor(s)</u>	<u>Committee Report</u>	<u>Amendments Adopted</u>
DUTREMBLE FOWLE	ONTP	

This constitutional resolution increases the length of the terms of State Senators from two years to four years, beginning with the Senators elected in 2016.

LD 107 An Act To Recognize the Labrador Retriever as the Official State Dog

**Accepted Majority
(ONTP) Report**

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

This bill designates the Labrador Retriever as the official state dog.

**LD 110 An Act To Designate Pure Maine Maple Syrup as the Official State
Sweetener**

PUBLIC 70

<u>Sponsor(s)</u>	<u>Committee Report</u>	<u>Amendments Adopted</u>
BLACK DILL	OTP-AM	H-67

This bill designates maple syrup as the official state sweetener.

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Committee Amendment "A" (H-67)

This amendment specifies that pure Maine maple syrup, instead of maple syrup as proposed in the bill, is the official state sweetener.

Enacted Law Summary

Public Law 2015, chapter 70 designates pure Maine maple syrup as the official state sweetener.

LD 114 **Resolve, Authorizing the Bureau of General Services To Offer Certain Property to Kennebec County for 6 Months Prior to Listing the Property with Private Real Estate Brokers**

RESOLVE 20

<u>Sponsor(s)</u>	<u>Committee Report</u>	<u>Amendments Adopted</u>
KATZ POULIOT	OTP-AM OTP-AM	S-52

This resolve gives the Commissioner of Administrative and Financial Services authority to sell the property identified as the Augusta District Court to Kennebec County to be used to house the Registry of Deeds and other county offices.

Committee Amendment "A" (S-52)

This amendment is the majority report of the committee and makes the following changes.

1. It removes language that states that the Commissioner of Administrative and Financial Services must sell the property identified as the Augusta District Court to Kennebec County, and instead specifies that for six months following the effective date of the resolve the commissioner may negotiate and execute a purchase and sale agreement with Kennebec County for the sale of the property.
2. It provides that if Kennebec County determines prior to the end of the six-month period that it does not want to purchase the state property, the county must notify the commissioner in writing.
3. It prohibits the commissioner during the six-month period from negotiating or executing a purchase and sale agreement with any other party for the sale of the property unless Kennebec County notifies the commissioner in writing that the county does not want to purchase the property.
4. It provides that if after the six-month period a purchase and sale agreement has not been executed or after written notice that the county does not want to purchase the property, the commissioner may list the property for sale or lease with private real estate brokers and negotiate any sales or leases, solicit bids, sell directly to purchasers or enter directly into leases with tenants.
5. It adds a section requiring an independent appraisal of the property.
6. It adds a section specifying the disposition of proceeds from the sale of the property.

Committee Amendment "B" (S-53)

This amendment is the minority report of the committee and makes the following changes.

1. It removes language that states that the Commissioner of Administrative and Financial Services must sell the property identified as the Augusta District Court to Kennebec County, and instead specifies that for six months following the effective date of the resolve the commissioner may negotiate and execute a purchase and sale

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agreement with Kennebec County for the sale of the property.

2. It provides that if Kennebec County determines prior to the end of the six-month period that it does not want to purchase the state property, the county must notify the commissioner in writing.

3. It prohibits the commissioner during the six-month period from negotiating or executing a purchase and sale agreement with any other party for the sale of the property unless Kennebec County notifies the commissioner in writing that the county does not want to purchase the property.

4. It provides that any statutory and regulatory requirements that the property be offered to the Maine State Housing Authority or another state or local agency or offered through competitive bidding apply if the property is still available after it is offered to Kennebec County before it may be listed for sale or lease with private real estate brokers.

5. It provides that if after the six-month period a purchase and sale agreement has not been executed, and if the property has been offered to and refused by the Maine State Housing Authority or another state or local agency or unsuccessfully offered through competitive bidding, the commissioner may list the property for sale or lease with private real estate brokers and negotiate any sales or leases, solicit bids, sell directly to purchasers or enter directly into leases with tenants.

6. It adds a section requiring an independent appraisal of the property.

7. It adds a section specifying the disposition of proceeds from the sale of the property.

Enacted Law Summary

Resolve 2015, chapter 20 does the following.

1. It gives the Commissioner of Administrative and Financial Services authority to negotiate and execute a purchase and sale agreement with Kennebec County for the sale of the Augusta District Court to be used to house the Registry of Deeds and other county offices for six months following the effective date of the resolve.

2. It provides that if Kennebec County determines prior to the end of the six-month period that it does not want to purchase the state property, the county must notify the commissioner in writing.

3. It prohibits the commissioner during the six-month period from negotiating or executing a purchase and sale agreement with any other party for the sale of the property unless Kennebec County notifies the commissioner in writing that the county does not want to purchase the property.

4. It provides that if after the six-month period a purchase and sale agreement has not been executed or after written notice that the county does not want to purchase the property, the commissioner may list the property for sale or lease with private real estate brokers and negotiate any sales or leases, solicit bids, sell directly to purchasers or enter directly into leases with tenants.

5. It requires an independent appraisal of the property.

6. It specifies proceeds from the sale of the property be deposited in the Department of Administrative and Financial Services, Bureau of General Services' capital repair and improvement account for capital improvements.

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LD 137 An Act To Designate the Friendship Sloop as the Official State Maritime Symbol Accepted Majority (ONTP) Report

<u>Sponsor(s)</u>	<u>Committee Report</u>	<u>Amendments Adopted</u>
KRUGER CUSHING	ONTP OTP	

This bill makes the Friendship sloop, a style of gaff-rigged sloop that originated as a working boat in Friendship, the official state maritime symbol.

LD 165 An Act Regarding the Funding of Volunteer Fire Departments Accepted Majority (ONTP) Report

<u>Sponsor(s)</u>	<u>Committee Report</u>	<u>Amendments Adopted</u>
THERIAULT CYRWAY	ONTP OTP	

This bill repeals statutory language that specifies how a municipality may appropriate amounts of \$1,000 or less to its incorporated volunteer fire department.

LD 166 An Act To Allow York County To Better Provide Rescue and Ambulance Services CARRIED OVER

<u>Sponsor(s)</u>	<u>Committee Report</u>	<u>Amendments Adopted</u>
BEAVERS DUTREMBLE	ONTP OTP-AM	

This bill allows York County Government to provide rescue services pursuant to the law governing counties' provision of ambulance services.

Committee Amendment "A" (H-124)

This amendment is the minority report of the committee and replaces the substance of the bill, which applies only to York County. It changes the title and removes language in current law that provides that a county may provide rescue services through the sheriff's department and deputies and instead provides that each county may provide rescue services.

This bill was committed to the Joint Standing Committee on State and Local Government and carried over to any special or regular session of the 127th Legislature by joint order, H.P. 992.

LD 167 An Act To Prohibit a Municipality from Holding a Referendum To Legalize the Recreational Use of Marijuana ONTP

<u>Sponsor(s)</u>	<u>Committee Report</u>	<u>Amendments Adopted</u>
CAMPBELL J COLLINS	ONTP	

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This bill prohibits a municipality from including a referendum question to legalize the recreational use of marijuana on a ballot or in a warrant or considering it at a town meeting.

LD 182 An Act To Eliminate Term Limits for Legislators

Accepted Majority (ONTP) Report

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

This bill eliminates term limits for Legislators.

Committee Amendment "A" (H-140)

This amendment is the minority report of the committee. It replaces the bill and instead increases the amount of time that a State Senator and State Representative may serve from four consecutive terms, as in current law, to six consecutive terms or 12 consecutive years, whichever is less in duration.

LD 224 An Act To Limit the Information Required To Be Printed on Municipal Referenda Ballots

Accepted Majority (ONTP) Report

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

This bill amends the laws governing municipal referenda elections to specify that only the question to the voters is required to be printed on the ballot and that the printing of the full text of the proposal and any financial information is optional.

LD 244 An Act To Require the Use of Preapproved Subcontractors for Publicly Funded Construction Projects

Died Between Houses

<u>Sponsor(s)</u>	<u>Committee Report</u>	<u>Amendments Adopted</u>
DECHANT PATRICK	OTP-AM ONTP	

This bill requires the use of preapproved subcontractors for certain components of work, covering 16 different trades, included in bids awarded to general contractors for public improvement construction projects subject to competitive bidding.

Committee Amendment "A" (H-395)

This amendment is the majority report of the committee and requires the use of preapproved subcontractors for certain components of work included in bids awarded to general contractors for the construction, major alteration or repair of school buildings over \$250,000. It also increases the threshold proposed in the bill for the use of preapproved subcontractors from \$100,000 to \$250,000 for capital improvement contracts subject to competitive bidding that included the use of subcontractors in its bid. It also removes the list of components of capital improvement projects in the bill and instead makes reference to a list of components to be maintained by the Department of Administrative and Financial Services, Bureau of General Services. The amendment also adds an

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appropriations and allocations section.

LD 245 An Act To Rename B Stream in Houlton as Captain Ambrose Bear Stream

PUBLIC 12

<u>Sponsor(s)</u>	<u>Committee Report</u>	<u>Amendments Adopted</u>
BEAR COLLINS	OTP	

This bill requires the Aroostook County Commissioners to rename B Stream in and near the Town of Houlton in Aroostook County to Captain Ambrose Bear Stream, in honor of Captain Ambrose Bear, a Maliseet Indian chief who served in the Revolutionary War. The bill also requires the county commissioners to notify the appropriate authorities and agencies of the name change. The Department of Transportation is required to change any existing road signs designating B Stream to refer to Captain Ambrose Bear Stream. The bill also requires the Department of Inland Fisheries and Wildlife to amend its rules to change the name of B Stream to Captain Ambrose Bear Stream, and it changes the name where the name B Stream is cited in statute.

Enacted Law Summary

Public Law 2015, chapter 12 requires the Aroostook County Commissioners to rename B Stream in and near the Town of Houlton in Aroostook County to Captain Ambrose Bear Stream, in honor of Captain Ambrose Bear, a Maliseet Indian chief who served in the Revolutionary War. It also requires the county commissioners to notify the appropriate authorities and agencies of the name change. The Department of Transportation is required to change any existing road signs designating B Stream to refer to Captain Ambrose Bear Stream. Public Law 2015, chapter 12 also requires the Department of Inland Fisheries and Wildlife to amend its rules to change the name of B Stream to Captain Ambrose Bear Stream, and it changes the name where the name B Stream is cited in statute.

LD 258 An Act Regarding Posting of Legal Notices and Legal Advertising

Accepted Majority (ONTP) Report

<u>Sponsor(s)</u>	<u>Committee Report</u>	<u>Amendments Adopted</u>
DAVIS FREDETTE	ONTP OTP	

This bill clarifies that legal notices may be placed in newspapers offered to the public for free as long as all other requirements for an eligible newspaper are met.

LD 331 An Act To Quantitatively Evaluate State Contracts

Accepted Majority (ONTP) Report

<u>Sponsor(s)</u>	<u>Committee Report</u>	<u>Amendments Adopted</u>
DEVIN JOHNSON	ONTP OTP-AM	

This bill is a concept draft pursuant to Joint Rule 208.

This bill proposes to create a process to quantitatively evaluate a state contract to determine the total value of the contract to the State using multipliers for factors such as the amount of raw materials from in-state sources, the number of state residents employed and the use of vendors, consultants and subcontractors from the State to evaluate bids and existing contract performance and for general public information.

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Committee Amendment "A" (H-69)

This amendment is the minority report of the committee. It changes the bill to a resolve and changes its title. It directs the Department of Administrative and Financial Services, Bureau of General Services to develop a process to include quantitative analysis as a required criterion in its evaluation of the total value of competitive bids for purchases and for public improvement contracts and of other competitively bid state contracts. It also directs the bureau to develop and submit recommendations and proposed legislation regarding the incorporation of quantitative analysis in its evaluation of competitive bids to the Joint Standing Committee on State and Local Government by December 15, 2015 and allows the committee to submit a bill to the Second Regular Session of the 127th Legislature.

LD 406 An Act To Increase the Salaries of the Governor and Legislators ONTP

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

This bill increases the Governor's salary in January of 2019 from \$70,000 per year to \$120,000 per year and increases legislative salaries in December of 2018 by the same percentage, from \$14,073.63 for the first year of the biennium and \$9,982.44 for the second year of the biennium to \$24,126.22 for the first year of the biennium and \$17,112.75 for the second year of the biennium.

LD 407 An Act To Buy American-made Products Died Between Houses

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

This bill establishes the Maine Buy America Act and requires that all contracts for the construction, reconstruction, alteration, repair, improvement or maintenance of a public building or public work made by a state agency, board, commission or institution contain a provision that the manufactured goods, including iron and steel, used or supplied in the performance of the contract or any subcontract under the contract must be manufactured in the United States. This requirement does not apply to municipalities or school administrative units.

The bill requires that, in the case of a manufactured good other than an iron or steel product, all of the manufacturing processes take place in the United States and the origin of the manufactured good's components or subcomponents meet a minimum level of domestic content as established by rule.

Under the Act, a public agency may apply to the Governor or the Governor's designee for a waiver of the requirement if the executive head of the public agency finds that the application of the requirement would be inconsistent with the public interest, that the necessary manufactured goods are not produced in the United States in sufficient and reasonably available quantities and of a satisfactory quality or that inclusion of manufactured goods made in the United States will increase the cost of the overall project contract by an unreasonable amount. The Department of Administrative and Financial Services is directed to develop rules regarding the Act, including rules to guide the waiver process and the process for public review and comment regarding requests for a waiver.

The bill requires that if the Department of Administrative and Financial Services has reason to believe that any person, business or other entity has intentionally made fraudulent representations about the domestic content of a manufactured good or has intentionally violated any provision of the Act, the department must, after a hearing,

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debar that person, business or other entity from contracts or subcontracts with the State for two years.

The bill provides that the provisions of this legislation must be applied in a manner consistent with the State's obligations under any applicable international agreements pertaining to government procurement.

LD 408 An Act To Help Municipalities Prepare for Changes in Sea Level

Veto Sustained

Sponsor(s)

BLUME
JOHNSON

Committee Report

OTP-AM
ONTP

Amendments Adopted

H-68

This bill requires that if a coastal municipality or multimunicipal region that includes a coastal municipality adopts a growth management program under the State's growth planning and land use laws, its comprehensive plan must include information on and a plan to address the impacts of changes in sea level on buildings, transportation infrastructure, sewage treatment facilities and other relevant municipal, multimunicipal or privately held infrastructure or property. This bill also amends the State's growth planning and land use laws to reflect that addressing the impacts of sea level rise is a state planning and regulatory goal. This bill amends the laws regarding the State's coastal management policies to reflect a new state policy of addressing and planning for the impacts of sea level rise.

Committee Amendment "A" (H-68)

This amendment, which is the majority report of the committee:

1. Removes the sections of the bill that require the inventory and analysis of a comprehensive plan under the growth management program for a coastal municipality or multimunicipal region to include projections regarding sea level rise and its potential impacts;
2. Removes the sections of the bill that require a coastal municipality or multimunicipal region that includes a coastal municipality to develop a coordinated plan for addressing the impacts of changes in sea level as a guideline for policy development and implementation strategies of a comprehensive plan within the growth management plan elements;
3. Provides that a coastal municipality or multimunicipal region that includes a coastal municipality may include projections regarding sea level change and its impacts in its comprehensive plan and may develop a coordinated plan for addressing impacts of changes in sea level;
4. Provides that "coastal municipality" means a municipality or township in the coastal zone as identified by the Department of Agriculture, Conservation and Forestry, Maine Coastal Program; and
5. Amends the bill to clarify that the assessment of and planning for impacts of changes in sea level, instead of sea level rise, are encouraged, instead of addressed, in coastal management policies when state, local and federal agencies responsible for regulating, planning, developing or managing coastal resources conduct activities affecting the coastal area.

LD 450 An Act To Amend the Laws Regarding the Fund for the Efficient Delivery of Local and Regional Services

INDEF PP

Sponsor(s)

KATZ

Committee Report

Amendments Adopted

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This bill changes the funding for the Fund for the Efficient Delivery of Local and Regional Services from General Fund appropriations to monthly transfers of two percent of all receipts transferred to the Local Government Fund before the distributions to municipalities.

This bill was not referred to a committee.

LD 494 An Act Regarding the Maintenance of Easements

ONTP

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

This bill provides that a municipality must maintain a public easement held by the municipality to ensure use and enjoyment in accordance with the definition of a public easement. A municipality must also maintain an easement when a municipality votes affirmatively to make a way an easement for recreational use.

**LD 495 An Act To Make Minor Nonsubstantive Changes to the Laws Affecting
the Office of the State Auditor**

PUBLIC 44

<u>Sponsor(s)</u>	<u>Committee Report</u>	<u>Amendments Adopted</u>
MARTIN R WILLETTE	OTP	

This bill makes changes to the laws governing the Office of the State Auditor to repeal obsolete laws and make other minor changes. It does the following:

1. Removes language regarding monthly reporting by the District Court to the State Auditor of court fines, surcharges and assessments and language regarding reporting of fees to the State Auditor by clerks of judicial courts;
2. Restricts the permanent employment of certain officers in the Office of the State Auditor, including the State Auditor, to certified public accountants, certified information systems auditors and certified internal auditors;
3. Updates references to public accountants;
4. Removes language regarding forms prescribed by the Office of the State Auditor that are to be used by clerks of the Superior Court to record certain fines, costs and forfeitures and language regarding the auditing of certain bills and accounts of counties;
5. Repeals language regarding the State Auditor's establishing a process for oversight of local unit of government compliance with state mandates and use of state funds and removes language regarding the Office of the State Auditor's receiving by mail copies of certain notices to municipalities;
6. Changes language regarding the auditing standards of municipal postaudits to replace a reference to the State Auditor, who does not establish auditing standards, with a reference to the United States Government Accountability Office, which does;
7. Makes further changes to the law regarding municipal postaudits to reflect that the Office of the State Auditor is usually not involved with municipal audits, including audits regarding jail supplies;

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- 8. Repeals a provision regarding the State Auditor's reporting of the financial matters of municipalities and quasi-municipal corporations; and
- 9. Changes the laws governing the Board of Emergency Municipal Finance to remove language requiring the State Auditor to determine whether a municipality or unorganized territory is unable to provide for its direct relief and work programs.

Enacted Law Summary

Public Law 2015, chapter 44 makes changes to the laws governing the Office of the State Auditor to repeal obsolete laws and make other minor changes. It does the following:

- 1. Removes language regarding monthly reporting by the District Court to the State Auditor of court fines, surcharges and assessments and language regarding reporting of fees to the State Auditor by clerks of judicial courts;
- 2. Restricts the permanent employment of certain officers in the Office of the State Auditor, including the State Auditor, to certified public accountants, certified information systems auditors and certified internal auditors;
- 3. Updates references to public accountants;
- 4. Removes language regarding forms prescribed by the Office of the State Auditor that are to be used by clerks of the Superior Court to record certain fines, costs and forfeitures and language regarding the auditing of certain bills and accounts of counties;
- 5. Repeals language regarding the State Auditor's establishing a process for oversight of local unit of government compliance with state mandates and use of state funds and removes language regarding the Office of the State Auditor's receiving by mail copies of certain notices to municipalities;
- 6. Changes language regarding the auditing standards of municipal postaudits to replace a reference to the State Auditor, who does not establish auditing standards, with a reference to the United States Government Accountability Office, which does;
- 7. Makes further changes to the law regarding municipal postaudits to reflect that the Office of the State Auditor is usually not involved with municipal audits, including audits regarding jail supplies;
- 8. Repeals a provision regarding the State Auditor's reporting of the financial matters of municipalities and quasi-municipal corporations; and
- 9. Changes the laws governing the Board of Emergency Municipal Finance to remove language requiring the State Auditor to determine whether a municipality or unorganized territory is unable to provide for its direct relief and work programs.

LD 496 Resolve, To Transfer Certain State-owned Property to the Town of East ONTP
Millinocket

<u>Sponsor(s)</u>	<u>Committee Report</u>	<u>Amendments Adopted</u>
STANLEY DILL	ONTP	

This resolve authorizes the State to transfer to the Town of East Millinocket certain parcels of land previously transferred to the State by the Katahdin Paper Company, LLC.

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LD 564 An Act To Establish Appropriate Parameters for County Borrowing Authority

Accepted Majority (ONTP) Report

<u>Sponsor(s)</u>	<u>Committee Report</u>	<u>Amendments Adopted</u>
KRUGER SAVIELLO	ONTP OTP-AM	

This bill provides that a county may obtain loans up to one ten-thousandth of the county's total property valuation instead of being limited to \$10,000. It repeals the exception for Aroostook County whereby Aroostook County is allowed to obtain loans up to \$95,000, but loans over \$10,000 are limited to the purpose of building, rebuilding, altering or improving county-owned real estate and personal property in that real estate.

Committee Amendment "A" (H-126)

This amendment is the minority report of the committee. It provides that a county may obtain loans up to \$192,000 instead of one ten-thousandth of the county's total property valuation as proposed in the bill.

LD 638 An Act To Authorize the Transfer of State-owned Real Estate to the City of Belfast

PUBLIC 37

<u>Sponsor(s)</u>	<u>Committee Report</u>	<u>Amendments Adopted</u>
THIBODEAU HERBIG	OTP-AM	S-33

This bill authorizes the Adjutant General to sell the Belfast Armory or execute a like-kind exchange of a portion of the Belfast Armory property.

Committee Amendment "A" (S-33)

This amendment incorporates a fiscal note.

Enacted Law Summary

Public Law 2015, chapter 37 authorizes the Adjutant General to sell the Belfast Armory or execute a like-kind exchange of a portion of the Belfast Armory property.

LD 641 RESOLUTION, Proposing an Amendment to the Constitution of Maine To Elect 2 Senators from Each County

Accepted Majority (ONTP) Report

<u>Sponsor(s)</u>	<u>Committee Report</u>	<u>Amendments Adopted</u>
DAVIS LONG	ONTP OTP-AM	

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 2016.

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LD 681 An Act To Increase the Effectiveness of the Legislature

PUBLIC 102

<u>Sponsor(s)</u>	<u>Committee Report</u>	<u>Amendments Adopted</u>
EVES THIBODEAU	OTP-AM	H-93

This bill makes changes to the statutes governing the Legislature.

1. It clarifies that the floor leaders and assistants are from the two political parties with the greatest number of members in each body.
2. It removes the current requirement that the Legislative Council meet at least monthly when the Legislature is not in session. Instead, this bill allows the chair of the Legislative Council to cancel a meeting when the Legislature is not in session if the chair determines that a meeting is not necessary. It retains the ability of the chair of the Legislative Council or the membership of the Legislative Council to call a meeting.
3. Current law provides that the Executive Director of the Legislative Council, the State Law Librarian and other nonpartisan office directors appointed by the Legislative Council are appointed to three-year terms and that reappointment "shall be based on performance in the office;" that language is open to different interpretations. The bill removes the element of the three-year term and specifies that the executive director, the State Law Librarian and other nonpartisan office directors serve at the pleasure of the Legislative Council. It also specifies that both the appointment and the removal of the executive director, the State Law Librarian and other nonpartisan office directors must be by a vote of no fewer than eight members of the Legislative Council.
4. It repeals a transition section for persons holding certain named positions in legislative staff offices in 1985 that no longer exist, making the law unnecessary.
5. It specifies that the executive director coordinates the activities of the nonpartisan legislative staff offices.
6. Current law specifies that a duty of the executive director is to appoint nonpartisan legislative staff; by delegating the authority to officially appoint staff, the Legislative Council is not itself required to officially appoint each staff member. The bill specifies that the appointments must be done in conformity with the policies adopted by the Legislative Council and further specifies that the appointing authority of the executive director applies only to nonpartisan legislative staff.
7. Although the term "legislative staff" is used a number of times in the Maine Revised Statutes, Title 3, chapter 7, the term is not defined to indicate that it is limited to nonpartisan legislative staff when describing the duties of the nonpartisan staff offices and the executive director. The bill corrects that.
8. It removes outdated and duplicative language regarding the updating of the Maine Revised Statutes, which is already required by the Maine Revised Statutes, Title 1, section 92.
9. It removes a reference to a committee that no longer exists and standardizes the reference to the joint standing committee of the Legislature having jurisdiction over appropriations and financial affairs.
10. It specifies that the directors and staff of the Law and Legislative Reference Library, the Office of Program Evaluation and Government Accountability and the Office of Legislative Information Technology are subject to the same restrictions regarding testifying before legislative committees as the members of the other nonpartisan staff offices of the Legislature.

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11. It removes outdated language regarding the printing of the Laws of the State of Maine, also referred to as the session laws, but retains and clarifies the language regarding a revision of the entire Maine Revised Statutes.
12. It removes an outdated provision regarding reporting by the Maine Human Rights Commission.
13. It changes the wording of the statutes regarding the receipt by the executive director of reports from boards and commissions to clarify that the executive director merely forwards the report to the appropriate joint standing committee, instead of referring it, since "refer" has a specific meaning in the Legislature.
14. It specifies that the term of a person appointed to a three-year term as the executive director, the State Law Librarian or a director of a nonpartisan staff office of the Legislature before October 1, 2015 is not affected by the bill's removal of that specified term.
15. It makes other nonsubstantive changes to grammar and format.

Committee Amendment "A" (H-93)

This amendment clarifies that the eight or more members of the Legislative Council required to vote to appoint or to remove from office an Executive Director of the Legislative Council, a State Law Librarian and other office directors must be present at a public meeting to vote and makes a correction to punctuation.

Enacted Law Summary

Public Law 2015, chapter 102 does the following.

1. It clarifies that the floor leaders and assistants are from the two political parties with the greatest number of members in each body.
2. It removes the requirement that the Legislative Council meet at least monthly when the Legislature is not in session, and allows the chair of the Legislative Council to cancel a meeting when the Legislature is not in session if the chair determines that a meeting is not necessary. It retains the ability of the chair of the Legislative Council or the membership of the Legislative Council to call a meeting.
3. Current law provides that the Executive Director of the Legislative Council, the State Law Librarian and other nonpartisan office directors appointed by the Legislative Council are appointed to three-year terms and that reappointment "shall be based on performance in the office;" that language is open to different interpretations. Public Law 2015, chapter 102 removes the element of the three-year term and specifies that the executive director, the State Law Librarian and other nonpartisan office directors serve at the pleasure of the Legislative Council. It also specifies that both the appointment and the removal of the executive director, the State Law Librarian and other nonpartisan office directors must be by a vote of no fewer than eight members present at a public meeting of the Legislative Council.
4. It repeals a transition section for persons holding certain named positions in legislative staff offices in 1985 that no longer exist, making the law unnecessary.
5. It specifies that the executive director coordinates the activities of the nonpartisan legislative staff offices.
6. Current law specifies that a duty of the executive director is to appoint nonpartisan legislative staff, by delegating the authority to officially appoint staff, the Legislative Council is not itself required to officially appoint each staff member. Public Law 2015, chapter 102 specifies that the appointments must be done in conformity with the policies adopted by the Legislative Council and further specifies that the appointing authority of the executive director applies only to nonpartisan legislative staff.
7. Although the term "legislative staff" is used a number of times in the Maine Revised Statutes, Title 3, chapter 7,

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the term is not defined to indicate that it is limited to nonpartisan legislative staff when describing the duties of the nonpartisan staff offices and the executive director. Public Law 2015, chapter 102 corrects that.

8. It removes outdated and duplicative language regarding the updating of the Maine Revised Statutes, which is already required by the Maine Revised Statutes, Title 1, section 92.
9. It removes a reference to a committee that no longer exists and standardizes the reference to the joint standing committee of the Legislature having jurisdiction over appropriations and financial affairs.
10. It specifies that the directors and staff of the Law and Legislative Reference Library, the Office of Program Evaluation and Government Accountability and the Office of Legislative Information Technology are subject to the same restrictions regarding testifying before legislative committees as the members of the other nonpartisan staff offices of the Legislature.
11. It removes outdated language regarding the printing of the Laws of the State of Maine, also referred to as the session laws, but retains and clarifies the language regarding a revision of the entire Maine Revised Statutes.
12. It removes an outdated provision regarding reporting by the Maine Human Rights Commission.
13. It changes the wording of the statutes regarding the receipt by the executive director of reports from boards and commissions to clarify that the executive director merely forwards the report to the appropriate joint standing committee, instead of referring it, since "refer" has a specific meaning in the Legislature.
14. It specifies that the term of a person appointed to a three-year term as the executive director, the State Law Librarian or a director of a nonpartisan staff office of the Legislature before October 1, 2015 is not affected by the bill's removal of that specified term.
15. It makes other nonsubstantive changes to grammar and format.

LD 724 An Act To Authorize Municipal Fire Districts To Impose Service Charges ONTP

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

This bill authorizes municipalities to create by ordinance municipal fire districts that may charge service charges for fire protection. The bill also authorizes municipalities to collect service charge revenue, as an alternative to property tax revenue, for the purpose of financing multimunicipal fire districts.

LD 732 Resolve, Authorizing the Commissioner of Administrative and Financial Services To Sell or Lease the Interests of the State in Certain Real Property Located in Bangor, Orono and Thomaston RESOLVE 28

<u>Sponsor(s)</u>	<u>Committee Report</u>	<u>Amendments Adopted</u>
WILLETTE MARTIN R	OTP-AM	S-186 S-214 WILLETTE

This resolve gives the Commissioner of Administrative and Financial Services authority to sell or lease the property identified as the District Courthouse in Augusta, the Daschlager House in Augusta, the McLean House in Augusta, the Smith-Merrill House in Augusta, the Elizabeth Levinson Center in Bangor and the Ship Street Houses in

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Thomaston.

Committee Amendment "A" (S-186)

This amendment changes the title of the resolve. The resolve provides the authority to the Commissioner of Administrative and Financial Services to sell or lease properties in Augusta, Bangor and Thomaston. The amendment removes four properties in Augusta from the list. The properties removed are the property identified as the District Courthouse, the Daschlager House, the McLean House and the Smith-Merrill House.

Senate Amendment "A" To Committee Amendment "A" (S-214)

This amendment gives the Commissioner of Administrative and Financial Services authority to sell or lease the property formerly known as the Maine State Police Barracks in the Town of Orono.

Enacted Law Summary

Resolve 2015, chapter 28 gives the Commissioner of Administrative and Financial Services authority to sell or lease the property identified as the Elizabeth Levinson Center in Bangor, the Ship Street Houses in Thomaston and the Maine State Police Barracks in the Town of Orono.

LD 741 An Act To Provide Expanded Powers to the Executive Director of the Kennebec Regional Development Authority Leave to Withdraw Pursuant to Joint Rule

<u>Sponsor(s)</u>	<u>Committee Report</u>	<u>Amendments Adopted</u>
SAVIELLO NUTTING		

This bill is a concept draft pursuant to Joint Rule 208.

This bill proposes to provide expanded powers to the Executive Director of the Kennebec Regional Development Authority.

LD 780 Resolve, Authorizing the Director of the Bureau of Parks and Lands To Convey the Parcel of Land in Kittery Known as John Paul Jones Memorial Park to the Town of Kittery RESOLVE 24

<u>Sponsor(s)</u>	<u>Committee Report</u>	<u>Amendments Adopted</u>
HILL RYKERSON	OTP-AM	S-80

This resolve authorizes the Director of the Bureau of Parks and Lands within the Department of Agriculture, Conservation and Forestry to gift the state property known as John Paul Jones Memorial Park to the Town of Kittery. It restricts the use of the property to public noncommercial governmental purposes, and the property reverts to the Department of Agriculture, Conservation and Forestry if used otherwise. The resolve also gives the department right of first refusal in perpetuity to take the property back if the Town of Kittery proposes to transfer the property to a third party not affiliated with the town.

Committee Amendment "A" (S-80)

This amendment specifies that the property to be conveyed pursuant to the resolve must continue to be used and managed for public noncommercial governmental purposes as a public park, replacing language that stated the property is to be used for public noncommercial governmental purposes only.

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Enacted Law Summary

Resolve 2015, chapter 24 authorizes the Director of the Bureau of Parks and Lands within the Department of Agriculture, Conservation and Forestry to gift the state property known as John Paul Jones Memorial Park to the Town of Kittery. The property must continue to be used and managed for public noncommercial governmental purposes as a public park, and the property reverts to the Department of Agriculture, Conservation and Forestry if used otherwise. Resolve 2015, chapter 24 also gives the department right of first refusal in perpetuity to take the property back if the Town of Kittery proposes to transfer the property to a third party not affiliated with the town.

LD 785 An Act To Provide for Legislative Review of Federally Mandated Major ONTP
Substantive Rules under the Maine Administrative Procedure Act

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

This bill repeals the provision of law that exempts from legislative review major substantive rules that must be adopted to comply with federal law or to qualify for federal funds.

LD 857 An Act To Prohibit Public Endorsement of Candidates for Office by ONTP
County Employees and Elected Officials

<u>Sponsor(s)</u>	<u>Committee Report</u>	<u>Amendments Adopted</u>
BAKER PIERCE J	ONTP	

This bill prohibits elected county officers, elected county officials and county employees from advocating expressly for the election or defeat of a candidate for a federal or constitutional office or of a candidate for partisan elective municipal, county or state office. The bill also prohibits elected county officers, elected county officials and county employees from soliciting contributions for a political campaign.

LD 862 An Act To Clarify Who May Authorize Repairs in a Burying Ground PUBLIC 294

<u>Sponsor(s)</u>	<u>Committee Report</u>	<u>Amendments Adopted</u>
CUSHING MARTIN R	OTP-AM	S-285

This bill allows the next of kin of a deceased person, in addition to a lineal descendent, to authorize the repair, maintenance or removal of a memorial to the deceased. This bill also allows a memorial to be moved if it is in poor condition or the preservation of the memorial cannot be guaranteed in its present location.

Committee Amendment "A" (S-285)

This amendment makes the following changes to the bill.

1. It establishes an order of persons from whom authorization or approval must be sought prior to repairing or removing a memorial. After obtaining approval of the owner or operator of the cemetery or burial ground, if one exists, a person first must seek the authorization of the owner of the burial lot or a lineal descendant of the deceased buried there; if unable to obtain that authorization, the person must seek the authorization of a next of kin of the deceased; if unable to obtain that authorization, the person must obtain the approval of the municipality or, if the

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memorial is in unorganized territory, the county in which the cemetery or burial ground is located.

- 2. It requires that all costs associated with repair, maintenance or removal of a memorial must be paid by the person or entity requesting the repair, maintenance or removal.
- 3. It provides that the owner, operator or caretaker of a burial lot or a cemetery association that authorizes removal of a memorial is not responsible or liable for the location or care of the memorial.

Enacted Law Summary

Public Law 2015, chapter 294 does the following.

- 1. It establishes an order of persons from whom authorization or approval must be sought prior to repairing or removing a memorial. After obtaining approval of the owner or operator of the cemetery or burial ground, if one exists, a person first must seek the authorization of the owner of the burial lot or a lineal descendant of the deceased buried there; if unable to obtain that authorization, the person must seek the authorization of a next of kin of the deceased; if unable to obtain that authorization, the person must obtain the approval of the municipality or, if the memorial is in unorganized territory, the county in which the cemetery or burial ground is located.
- 2. It requires that all costs associated with repair, maintenance or removal of a memorial must be paid by the person or entity requesting the repair, maintenance or removal.
- 3. It provides that the owner, operator or caretaker of a burial lot or a cemetery association that authorizes removal of a memorial is not responsible or liable for the location or care of the memorial.

LD 874 An Act To Provide Transparency and Accountability of Taxpayer Funds ONTP

<u>Sponsor(s)</u>	<u>Committee Report</u>	<u>Amendments Adopted</u>
SUKEFORTH MCCORMICK	ONTP	

This bill is a concept draft pursuant to Joint Rule 208.

This bill proposes to establish a public online registry of all state and federal grants and low-interest or no-interest loans given to residents, businesses, municipalities and nonprofit organizations in this State. The registry would be searchable by a resident's name, municipality name, business name or organization's name. The registry would include the state or federal agency giving the grant or loan and the amount, terms and purpose of the grant or loan.

LD 897 An Act To Move a Township from House District 150 to House District 151 INDEF PP

<u>Sponsor(s)</u>	<u>Committee Report</u>	<u>Amendments Adopted</u>
MARTIN J	OTP-AM	H-188

Currently, Township 14, Range 6 is located in House District 150. This bill places Township 14, Range 6 in House District 151.

Committee Amendment "A" (H-188)

This amendment clarifies that Township 14, Range 6 is included in the unorganized territory of Northwest Aroostook in House District 151.

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LD 909 An Act To Help Older Adults Age in Place through Comprehensive Planning

Veto Sustained

<u>Sponsor(s)</u>	<u>Committee Report</u>	<u>Amendments Adopted</u>
BABBIDGE BURNS	OTP-AM ONTP	H-299

This bill encourages municipalities to develop policies that assist older adults with aging in place and that create age-friendly communities. It amends the law governing comprehensive plans by encouraging municipalities to plan for the needs of older adults in their communities.

Committee Amendment "A" (H-299)

This amendment is the majority report of the committee and does the following:

1. Provides that the inventory and analysis section of a comprehensive plan may include an evaluation of whether available housing meets the needs of older adults to help them age in place;
2. Amends the provision in the bill that identifies a guideline related to aging in place for municipalities to employ in developing land use strategies; and
3. Strikes the guideline in the bill and directs municipalities to consider the adoption of land use policies that help older adults age in place by addressing issues of special concern to older adults.

LD 915 An Act To Facilitate Long-range Planning in Certain Municipalities

ONTP

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

This bill is a concept draft pursuant to Joint Rule 208.

This bill proposes to enact measures designed to facilitate the ability of so-called "one-industry towns" to plan for, and recover from, the closure of that one industry. The measures proposed by the bill may include, but are not limited to:

1. The imposition of a fee on any ancillary commodity produced by the industry, such as hydropower produced by a mill, and remitting the amount of the fee to the town;
2. A requirement that municipalities that are reliant on a single industry develop, with representatives of the industry, a long-term plan for the industry and any ancillary commodity produced by the industry; and
3. A requirement that an industry provide municipal officials written notice of its plan to terminate its business at least 90 days prior to the intended termination.

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**LD 916 An Act To Establish a Private Support Organization for the Maine
Commission for Community Service**

PUBLIC 94

<u>Sponsor(s)</u>	<u>Committee Report</u>	<u>Amendments Adopted</u>
MCLEAN KATZ	OTP	

This bill directs the Maine Commission for Community Service to designate a nonprofit corporation as the private support organization for the commission to support the commission's work. The private support organization would be formed exclusively to receive, hold, invest and administer property and funds and to make expenditures to and for the benefit of the commission.

Enacted Law Summary

Public Law 2015, chapter 94 directs the Maine Commission for Community Service to designate a nonprofit corporation as the private support organization for the commission to support the commission's work. The private support organization would be formed exclusively to receive, hold, invest and administer property and funds and to make expenditures to and for the benefit of the commission.

**LD 957 RESOLUTION, Proposing an Amendment to the Constitution of Maine
To Provide for the Popular Election of the Attorney General, Secretary
of State and Treasurer of State**

ONTP

<u>Sponsor(s)</u>	<u>Committee Report</u>	<u>Amendments Adopted</u>
CUSHING CHENETTE	ONTP	

This resolution proposes a constitutional amendment that provides for direct popular election beginning in 2016 of the Secretary of State, the Treasurer of State and the Attorney General biennially in the manner currently provided for Senators and Representatives.

LD 972 An Act To Provide for the Nonpartisan Election of County Officials

**Accepted Majority
(ONTP) Report**

<u>Sponsor(s)</u>	<u>Committee Report</u>	<u>Amendments Adopted</u>
DILLINGHAM HAMPER	ONTP OTP-AM	

This bill requires that a county commissioner, county treasurer, district attorney, sheriff and register of deeds must all be elected on a nonpartisan ballot and that a vacancy in any of those offices must be filled without regard to political affiliation.

Committee Amendment "A" (H-125)

This amendment is the minority report and removes the provisions in the bill requiring that a county commissioner and a district attorney be elected on a nonpartisan ballot and that a vacancy in either office be filled without regard to political affiliation. It leaves the requirement in the bill that a county treasurer, sheriff and register of deeds be elected on a nonpartisan ballot and that a vacancy in any of those offices be filled without regard to political affiliation.

Joint Standing Committee on State and Local Government

**LD 999 An Act To Ensure Proper Adoption of Rules by All Departments,
Agencies and Boards**

**Died Between
Houses**

<u>Sponsor(s)</u>	<u>Committee Report</u>	<u>Amendments Adopted</u>
SIROCKI	ONTP OTP-AM	

This bill is a concept draft pursuant to Joint Rule 208.

This bill proposes to prohibit rule-making authority for rules having the force of law when the provisions of those rules are not enacted by the Legislature or are otherwise inconsistent with the legislative powers enumerated in the Constitution of Maine, Article IV.

As proposed in this bill, departments, agencies, boards, commissions and quasi-governmental entities may establish rules only for the purposes of performing the duties charged to them; any rules outside the scope of this authority must be submitted to the Legislature within one year of the effective date of this bill for enactment into law by the Legislature. Any such rules not enacted by the Legislature within two years of the effective date of this bill are considered void and without force of law.

Committee Amendment "A" (H-300)

This amendment, which is the minority report of the committee:

1. Strikes and replaces the bill with a resolve and changes the title;
2. Establishes the Commission on Rulemaking Oversight to study rule-making authority for independent state agencies;
3. Sets up the membership of the commission, which consists of 10 members, including four members of the Senate, four members of the House of Representatives, the Commissioner of Administrative and Financial Services or the commissioner's designee and a representative from the Governor's office appointed by the Governor;
4. Requires that the commission identify current rule-making authority and the statutory references that provide the authority for each independent state agency; categorize each independent state agency based on whether or not a department provides oversight of the independent state agency's rule-making process; and identify the department that provides oversight of the independent state agency's rule-making process for those independent state agencies overseen by a department;
5. Requires the commission to develop recommendations for any changes to routine technical rule-making authority of independent state agencies;
6. Requires the Legislative Council to provide necessary staffing services to the commission; and
7. Requires the commission to submit a report by December 2, 2015 with its findings and recommendations, including suggested legislation, to the joint standing committee of the Legislature having jurisdiction over state and local government matters.

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LD 1008 An Act To Extend Options for Publicly Funded Projects

**Died Between
Houses**

<u>Sponsor(s)</u>	<u>Committee Report</u>	<u>Amendments Adopted</u>
CUSHING BICKFORD	ONTP OTP	

This bill extends the provision of law regarding the award of public works contracts without regard to agreements with labor organizations by 10 years to October 1, 2025.

**LD 1012 RESOLUTION, Proposing an Amendment to the Constitution of Maine
To Increase the Length of Terms of Senators**

ONTP

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

This constitutional resolution increases the length of the terms of State Senators from two years to four years, beginning with the Senators elected in 2016 except that, in order to stagger the elections so that roughly half of the Senate is up for election every two years, Senators from odd-numbered districts will not begin serving a four-year term until the 2018 election.

LD 1046 An Act To Penalize Legislators for Excessive Absences

PUBLIC 134

<u>Sponsor(s)</u>	<u>Committee Report</u>	<u>Amendments Adopted</u>
BAKER PIERCE J	OTP-AM ONTP	S-66

This bill requires that a member of the Legislature be penalized by having that member's salary reduced for each legislative day the member is absent without leave after five days of absence in the first regular session and after three days of absence in the second regular session, in an amount to be determined by the Legislative Council.

Committee Amendment "A" (S-66)

This amendment requires the Legislative Council at the beginning of each Legislature to establish policies and procedures to record attendance for each legislative day and set the salary reduction mentioned in the bill for members who are absent without leave for more than five legislative days in the first regular session and for more than three legislative days in the second regular session.

Enacted Law Summary

Public Law 2015, chapter 134 requires that a member of the Legislature be penalized by having that member's salary reduced for each legislative day the member is absent without leave for a specified number of legislative days. It requires the Legislative Council at the beginning of each Legislature to establish policies and procedures to record attendance for each legislative day and set the salary reduction for members who are absent without leave for more than five legislative days in the first regular session and for more than three legislative days in the second regular session.

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LD 1103 Resolve, To Study Understaffing in State Agencies

**Died Between
Houses**

<u>Sponsor(s)</u>	<u>Committee Report</u>	<u>Amendments Adopted</u>
ROTUNDO	OTP-AM ONTP	

This bill directs the Department of Administrative and Financial Services to collect and compile information concerning staffing of all the departments of the State and review any available studies comparing private sector positions and pay with comparable state positions and pay for comparable work and to report its findings to the Joint Standing Committee on State and Local Government.

Committee Amendment "A" (H-380)

This amendment is the majority report of the committee. It allows the Joint Standing Committee on State and Local Government to report out a bill related to the Department of Administrative and Financial Services report in the resolve to the Second Regular Session of the 127th Legislature.

**LD 1161 Resolve, To Modify the Deed for a Parcel of Property in the Town of
Carrabassett Valley**

**RESOLVE 17
EMERGENCY**

<u>Sponsor(s)</u>	<u>Committee Report</u>	<u>Amendments Adopted</u>
SAVIELLO BUCKLAND	OTP	

This resolve amends Resolve 1999, chapter 41, which authorized the conveyance of 1,203 acres from the State to the Town of Carrabassett Valley. The conveyance is subject to use restrictions, such as a requirement that the land be used for public outdoor recreation and that development for overnight accommodations, except camping, and commercial uses is expressly prohibited.

This resolve allows the town to lease no more than two acres of the conveyed parcel to a nonprofit corporation for the development of an outdoor recreational and educational center for use by persons with developmental and physical disabilities. The development may include residential and overnight accommodations and dining facilities for the use of staff and guests at the center, and the nonprofit corporation may charge a fee for the use of the accommodations. The Director of the Bureau of Parks and Lands in the Department of Agriculture, Conservation and Forestry is directed to change the deed in accord with the changes made by this resolve.

Enacted Law Summary

Resolve 2015, chapter 17 amends Resolve 1999, chapter 41, which authorized the conveyance of 1,203 acres from the State to the Town of Carrabassett Valley. The conveyance is subject to use restrictions, such as a requirement that the land be used for public outdoor recreation and that development for overnight accommodations, except camping, and commercial uses is expressly prohibited.

This resolve allows the town to lease no more than two acres of the conveyed parcel to a nonprofit corporation for the development of an outdoor recreational and educational center for use by persons with developmental and physical disabilities. The development may include residential and overnight accommodations and dining facilities for the use of staff and guests at the center, and the nonprofit corporation may charge a fee for the use of the accommodations. The Director of the Bureau of Parks and Lands in the Department of Agriculture, Conservation and Forestry is directed to change the deed in accord with the changes made by this resolve.

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Resolve 2015, chapter 17 was finally passed as an emergency measure effective May 26, 2015.

LD 1166 An Act To Protect Taxpayers by Regulating Personal Services Contracts

PUBLIC 345

<u>Sponsor(s)</u>	<u>Committee Report</u>	<u>Amendments Adopted</u>
MARTIN R PATRICK	OTP-AM ONTP	H-170 S-321 HAMPER

This bill requires the Director of the Bureau of General Services to coordinate with all state departments and agencies to make cost-savings information available on the department's website for the winners of all competitively bid service contracts for the State. Cost-savings information for a contract with a new contractor must, where applicable, include the projected savings of the contract over the State's costs of providing the same service and include the amount of savings over the previous contractor. Cost-savings information for a contract with a contractor renewing or extending a contract for the first time must include details of the expiring contract's cost savings and details of continued cost-savings at or below costs in the current contract adjusted for inflation. Cost-savings information for a contract with a contractor renewing or extending a contract beyond a first renewal or extension must include details on continued cost-savings at or below costs in the current contract adjusted for inflation. This bill requires that the Director of the Bureau of General Services, with the approval of the Commissioner of Administrative and Financial Services, establish practices and procedures to make the cost-savings information available on the department's website and gives the director the authority to do this by rule.

Committee Amendment "A" (H-170)

This amendment is the majority report of the committee and adds an appropriations and allocations section to the bill which includes funds for one Management Analyst II position.

Senate Amendment "A" To Committee Amendment "A" (S-321)

This amendment reduces the position in the Department of Administrative and Financial Services, Bureau of General Services, division of purchases from one full-time position to a half-time position.

Enacted Law Summary

Public Law 2015, chapter 345 requires the Director of the Bureau of General Services to coordinate with all state departments and agencies to make cost-savings information available on the department's website for the winners of all competitively bid service contracts for the State. Cost-savings information for a contract with a new contractor must, where applicable, include the projected savings of the contract over the State's costs of providing the same service and include the amount of savings over the previous contractor. Cost-savings information for a contract with a contractor renewing or extending a contract for the first time must include details of the expiring contract's cost savings and details of continued cost-savings at or below costs in the current contract adjusted for inflation. Cost-savings information for a contract with a contractor renewing or extending a contract beyond a first renewal or extension must include details on continued cost-savings at or below costs in the current contract adjusted for inflation. Public Law 2015, chapter 345 requires that the Director of the Bureau of General Services, with the approval of the Commissioner of Administrative and Financial Services, establish practices and procedures to make the cost-savings information available on the department's website and gives the director the authority to do this by rule.

LD 1190 An Act To Amend the Androscoggin County Charter

CARRIED OVER

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

Joint Standing Committee on State and Local Government

This bill is a concept draft pursuant to Joint Rule 208.

This bill proposes to amend the Androscoggin County charter.

This bill was carried over to any special or regular session of the 127th Legislature by joint order, H.P. 992.

LD 1206 An Act To Allow County Corrections Officers To Participate in the CARRIED OVER
Retired County and Municipal Law Enforcement Officers and
Municipal Firefighters Health Insurance Program

<u>Sponsor(s)</u>	<u>Committee Report</u>	<u>Amendments Adopted</u>
TUCKER PATRICK		

This bill allows county corrections officers to participate in the Retired County and Municipal Law Enforcement Officers and Municipal Firefighters Health Insurance Program and renames the program and related fund accordingly.

This bill was carried over to any special or regular session of the 127th Legislature by joint order, H.P. 992.

LD 1212 An Act To Support Transparency in Government through the Maine Died On
Capitol Connection Channel Program Adjournment

<u>Sponsor(s)</u>	<u>Committee Report</u>	<u>Amendments Adopted</u>
MARTIN J CUSHING	OTP-AM ONTP	H-127

This bill provides ongoing funds to the Maine Public Broadcasting Network to operate the Maine Capitol Connection channel.

Committee Amendment "A" (H-127)

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

LD 1274 An Act To Allow the Governor To Review Routine Technical Rules ONTP

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

This bill requires all routine technical rules to be provisionally adopted for 12 months following proposal. During this period, the Governor may refer the rule to the joint standing committee of the Legislature having jurisdiction over the subject matter of the rule for review in the same manner as a major substantive rule.

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LD 1286 An Act To Ensure the Use of Environmentally Responsible Insulation Materials in Taxpayer-funded Building Projects

CARRIED OVER

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

This bill requires the use of insulation with a low global-warming potential for all state-funded new building construction and substantial renovations of existing buildings. This bill also specifies that school administrative units, the Department of Administrative and Financial Services, Bureau of General Services, Division of Purchases, University of Maine System, Maine Community College System, the Maine State Housing Authority and the Efficiency Maine Trust must use or require to be used low global-warming potential insulation in any state-funded new building construction or substantial renovation, or any building constructed for the purpose of leasing, or the substantial renovation of a leased building.

This bill was carried over to any special or regular session of the 127th Legislature by joint order, H.P. 992.

LD 1298 An Act Relating to the Creation of Public-private Facilities and Infrastructure

CARRIED OVER

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

This bill authorizes and establishes a framework for governmental entities to enter into agreements with private entities and persons to develop or operate qualifying projects, including, but not limited to, ferries, mass transit facilities, vehicle parking facilities, port facilities, power generation facilities, fuel supply facilities, oil or gas pipelines, water supply facilities, public works facilities, waste treatment facilities, hospitals, schools, medical facilities, nursing care facilities and recreational facilities.

This bill was carried over to any special or regular session of the 127th Legislature by joint order, H.P. 992.

LD 1325 An Act To Ensure a Public Process When Discontinuing or Abandoning a Public Road

CARRIED OVER

<u>Sponsor(s)</u>	<u>Committee Report</u>	<u>Amendments Adopted</u>
NADEAU VALENTINO		

This bill changes the laws governing discontinued and abandoned roads.

Under current law, a presumption of abandonment exists if a municipality fails to keep a way passable for the use of motor vehicles at the expense of the municipality for a period of 30 or more years. This bill eliminates that presumption for ways that have not met that statutory requirement by January 1, 2020. Instead, for all other public ways, the bill provides a new discontinuance process, which will be the only means for a municipality to actively terminate its interests in a public way. The new discontinuance process specifies five steps a municipality must follow to discontinue a road: the notification of proposed discontinuance to the abutting property owners; a meeting of municipal officers to discuss the proposed discontinuance and the filing of an order of discontinuance specifying whether or not there will be a public easement and any public use restrictions or municipal maintenance and liability responsibilities for the public easement; a public hearing on the discontinuance; approval of the order of

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discontinuance by the municipal legislative body; and the filing of the certificate of discontinuance by the municipal clerk in the registry of deeds and with the municipality. The bill requires the abutters of a public easement that is discontinued to be granted a right-of-way. The municipality may charge a reasonable fee to fulfill any request for records obtained by the municipality from the registry of deeds.

The bill continues to exempt a municipality from liability for nonperformance of a legal duty with respect to a town or county way that has not been kept passable for the use of motor vehicles at the expense of that municipality for a period of 30 or more years.

It requires that a public easement must be retained in a discontinued road if abutting property owners need to use it to access their property. It also provides that a public utility easement will be in place whenever a road is discontinued, regardless of whether a public easement is retained.

A way that is presumptively abandoned retains a public easement, as is the default position under current law. The bill does not modify common law abandonment.

The bill allows a municipality to prepare a list of all town ways in that municipality that are currently maintained with public funds; a list of all town ways that have been discontinued since 1965 and whether or not a public easement was retained, if known; and a list of all town ways that have been abandoned since 1965 and whether or not a public easement was retained, if known. If a municipality prepares a list, the municipality must publish the list on its publicly accessible website or make copies available at the municipal office, for which the municipality may charge a reasonable fee. The municipality must record the list at the county registry of deeds.

This bill was carried over to any special or regular session of the 127th Legislature by joint order, H.P. 992.

LD 1328 An Act To Clarify the Ownership of and Access to Ancient and Family Burying Grounds

CARRIED OVER

<u>Sponsor(s)</u>	<u>Committee Report</u>	<u>Amendments Adopted</u>
CUSHING TEPLER		

This bill creates the following provisions:

1. A municipality or its caretaker may access an ancient burying ground on privately owned land annually or as determined by the municipality or its designated caretaker;
2. A municipality or its designated caretaker may use photography, video recording, geographic positioning systems and transcription of grave marker inscriptions to document condition and preserve historic information in a burying ground;
3. A municipality or its designated caretaker may use ground-penetrating radar or other methods to determine the location of unmarked graves and cemetery boundaries;
4. A person who owns land that contains an ancient burying ground must provide a descendant or relative of a person buried in the ancient burying ground, or a descendant or relative's designated agent, access to the ancient burying ground for the purposes of protecting or preserving it;
5. A municipal clerk of the municipality where an ancient burying ground is located must notarize a document allowing access to an ancient burying ground on privately owned land to a descendant or relative of a person buried in an ancient burying ground or the designated agent of the descendant or relative by the person who owns the parcel of land;

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6. A descendant or relative of a person buried in an ancient burying ground, or the agent of a descendant or relative, may use photography, video recording, geographic positioning systems and transcription of grave marker inscriptions to document condition and preserve historic information in the burying ground. A descendant or relative of a person buried in an ancient burying ground, or the designated agent of a descendant or relative, may also erect and repair fencing and repair gravestones;

7. A descendant or relative of a person buried in an ancient burying ground or the designated agent of a descendant or relative may employ a person to use ground-penetrating radar or other methods to determine the location of unmarked graves and cemetery boundaries;

8. The inability to locate a record of a burying ground at a registry of deeds in the county in which the burying ground is located or in the records of the municipal clerk of the municipality in which the burying ground is located does not negate ownership of the burying ground;

9. If a descendant or relative of a person buried in the burying ground, or the designated agent of a descendant or relative, a municipality or its designated agent, a historical society, a lineage society or the faculty of an educational institution is unable to locate records of a burying ground, that individual or entity may file a description of the location and boundaries of the burying ground, along with supporting documentation, with the municipal clerk of the municipality where the burying ground is located;

10. The inability to locate a record of a family burying ground at a registry of deeds of the county in which the family burying ground is located or in the records of the municipal clerk of the municipality in which the family burying ground is located does not negate ownership of a family burying ground by descendants or relatives of a person buried in the family burying ground;

11. A descendant or relative of a person buried in a family burying ground, or the designated agent of a descendant or relative, may file a description of the location and boundaries of the burying ground, along with supporting documentation, with the municipal clerk of the municipality where the burying ground is located. If a descendant or relative of a person buried in a family burying ground cannot be located, the municipality or its designated agent, a historical society, a lineage society or the faculty of an educational institution may file the description of the burying ground;

12. A descendant or relative of a person buried in a family burying ground, or the designated agent of a descendant or relative, may use photography, video recording, geographic positioning systems and transcription of grave marker inscriptions to document condition and preserve historic information in the burying ground. A descendant or relative of a person buried in a family burying ground, or the designated agent of a descendant or relative, may also erect and repair fencing and repair gravestones;

13. A descendant or relative of a person buried in a family burying ground, or the designated agent of a descendant or relative, may employ a person to use ground-penetrating radar or other methods to determine the location of unmarked graves and cemetery boundaries;

14. A relative of a person interred in a family burying ground is given an easement to access the burying ground if a property surrounding the burying ground is conveyed in a way that makes it inaccessible from any public way. Current statute already gives this benefit to the spouse, ancestors and descendants of a person interred in a family burying ground. Under this bill, the easement may be used only during daylight hours, and the property owner must designate the direct route a person must use to access the family burying ground; and

15. The property owner who gives access to the spouse, ancestors, descendants and relatives of a person interred in a family burying ground is not liable for any injuries sustained by a person accessing the burying ground by the designated direct route or within the boundaries of the burying ground.

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This bill was carried over to any special or regular session of the 127th Legislature by joint order, H.P. 992.

LD 1347 An Act To Implement Recommendations of the Government Oversight Committee To Clarify That Competitive Bid Provisions Apply to Grant Awards

PUBLIC 179

Sponsor(s)

Committee Report

Amendments Adopted

OTP

This bill implements a recommendation of the Government Oversight Committee stemming from the Office of Program Evaluation and Government Accountability report on Healthy Maine Partnerships' fiscal year 2013 contracts and funding. The bill adds the word "grant" where applicable to clarify that the statutory provisions requiring competitive bidding, and related provisions, apply to grant awards as well as contracts.

Enacted Law Summary

Public Law 2015, chapter 179 implements a recommendation of the Government Oversight Committee stemming from the Office of Program Evaluation and Government Accountability report on Healthy Maine Partnerships' fiscal year 2013 contracts and funding. Public Law 2015, chapter 179 adds the word "grant" where applicable to clarify that the statutory provisions requiring competitive bidding, and related provisions, apply to grant awards as well as contracts.

LD 1354 An Act To Improve the Maine Administrative Procedure Act

Died Between Houses

Sponsor(s)

Committee Report

Amendments Adopted

FREDETTE

ONTP
OTP-AM

This bill amends the Maine Administrative Procedure Act as follows.

1. It repeals a requirement that rules be approved for form and legality by the Attorney General and adds a requirement that rules be submitted to the Attorney General for advice as to form and legality.
2. It changes a statutory provision, which previously provided that the Attorney General may not approve a rule if it is reasonably expected to result in a taking of private property except under certain conditions, to provide that an agency may not adopt a rule if it is reasonably expected to result in such a taking.
3. It changes notice requirements, which previously provided that notice and copies of proposed rules be provided by mail unless the requestor specified they be provided electronically, to provide that notice and copies of proposed rules be provided electronically unless the requestor specifies they be provided by mail.
4. It allows for electronic submission of certain rule-making information.
5. It enacts a provision that allows an agency to choose to incorporate by reference subsequent amendments to a code, standard, rule or regulation.
6. This bill also corrects cross-references.

Committee Amendment "A" (H-301)

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This amendment, which is the minority report of the committee, retains the provision in the bill that allows an agency to incorporate by reference subsequent amendments to a code, standard, rule or regulation and adds a requirement that the exact title, edition or version and date of publication containing the subsequently incorporated amendment are included in notification materials provided to required parties. The amendment also requires the agency to certify to the Secretary of State that the agency has provided notice to the general public on its publicly accessible website and indicated where copies of the amended material may be obtained at cost. It also specifies that the subsequently incorporated amendment will take effect five days after notice is filed with the Secretary of State. The amendment removes provisions in the bill that removed the Attorney General's authority in the rule-making process. The provisions in the bill that are retained in the amendment include provisions that change notice requirements to provide that notice and copies of proposed rules be provided electronically unless the requestor specifies they be provided by mail and allow for electronic submission of certain rule-making information.

LD 1377 Resolve, To Establish the Commission To Study the Reduction of Unfunded and Outdated Municipal Mandates Died Between Houses

<u>Sponsor(s)</u>	<u>Committee Report</u>	<u>Amendments Adopted</u>
THIBODEAU	ONTP OTP-AM	

This resolve establishes the Commission to Study the Reduction of Unfunded and Outdated Municipal Mandates. The commission is required to meet at least twice a year for two years to review unfunded and outdated municipal mandates in order to provide recommendations and to report out a list of mandates for the Legislature to consider eliminating or revising.

Committee Amendment "A" (S-212)

This amendment is the minority report of the committee and makes the following changes to the resolve.

1. It states that the commission must meet between two and four times per year instead of at least twice as stated in the bill.
2. It states that Legislative Council staff support is not authorized when the Legislature is in regular or special session.
3. It requires the commission to submit its report no later than December 6, 2017 instead of December 31, 2017 as in the resolve.
4. It allows the joint standing committee of the Legislature having jurisdiction over state and local government matters to report out a bill related to the report to the Second Regular Session of the 128th Legislature.

LD 1378 An Act To Amend the Laws Governing the Issuance of Bonds and To Effectuate the Issuance of Bonds To Support Maine's Natural Resource-based Economy Veto Sustained

<u>Sponsor(s)</u>	<u>Committee Report</u>	<u>Amendments Adopted</u>
KATZ MARTIN J	OTP-AM ONTP	S-247

This bill makes the following changes to the laws governing the issuance of bonds.

1. It requires the Governor to issue a general obligation bond that has been ratified by the legal voters of the State

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unless one of five specific conditions exist, and it requires the Governor to provide certain information upon delaying or forgoing issuance of a bond.

- 2. It eliminates the requirement that registered bonds bear the facsimile signature of the Governor.
- 3. It requires the Treasurer of State to issue bonds described in Public Law 2009, chapter 414, Part E, section 6, as amended by Public Law 2009, chapter 645, Part J, section 3, and Public Law 2011, chapter 696, section 6 and ratified by the voters of the State in statewide elections held in November 2010 and November 2012, respectively.

Committee Amendment "A" (S-247)

This amendment is the majority report of the committee. It removes the two sections of the bill that require the issuance of specific general obligation bonds and instead states that the bill applies to all general obligation bonds ratified by the voters but as yet unissued as well as all future general obligation bonds ratified by the voters.

LD 1390 An Act To Amend the Boundaries of the Capitol Area

**PUBLIC 168
EMERGENCY**

<u>Sponsor(s)</u>	<u>Committee Report</u>	<u>Amendments Adopted</u>
WILLETTE TURNER	OTP-AM	S-179

This bill redefines the boundaries of the Capitol Area to exclude property located northerly of Capitol Street and westerly of Sewall Street in the City of Augusta. The greater part of the property excluded by this bill is occupied by the Department of Transportation's former motor transport facility. This bill will expedite the sale of the motor transport property by removing some of the restrictions imposed by the Capitol Planning Commission and making the property more attractive to potential business developers.

Committee Amendment "A" (S-179)

This amendment incorporates a fiscal note.

Enacted Law Summary

Public Law 2015, chapter 168 redefines the boundaries of the Capitol Area to exclude property located northerly of Capitol Street and westerly of Sewall Street in the City of Augusta. The greater part of the property excluded is occupied by the Department of Transportation's former motor transport facility. Public Law 2015, chapter 168 will expedite the sale of the motor transport property by removing some of the restrictions imposed by the Capitol Planning Commission and making the property more attractive to potential business developers.

Public Law 2015, chapter 168 was enacted as an emergency measure effective June 12, 2015.

LD 1395 An Act To Implement the Recommendations of the Government Oversight Committee To Ensure Legislative Review of Reports Submitted by Quasi-independent State Agencies

PUBLIC 253

<u>Sponsor(s)</u>	<u>Committee Report</u>	<u>Amendments Adopted</u>
	OTP-AM	H-298

This bill seeks to enhance legislative oversight of quasi-independent state entities by ensuring that joint standing committees of jurisdiction are monitoring the entities' compliance with requirements in the Maine Revised Statutes, Title 5, sections 12022 and 12023, and alerting the Government Oversight Committee to any concerns identified. The statutory requirements address expectations for quasi-independent state entities with regard to procurement

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practices, payments for membership dues and fees, gifts, donations and sponsorships and travel, meal and entertainment expenses. This bill provides for review of those reports by those committees and their communicating to the Government Oversight Committee the results of the reviews and areas identified that should be reviewed in more depth.

Committee Amendment "A" (H-298)

This amendment incorporates a fiscal note.

Enacted Law Summary

Public Law 2015, chapter 253 seeks to enhance legislative oversight of quasi-independent state entities by ensuring that joint standing committees of jurisdiction are monitoring the entities' compliance with requirements in the Maine Revised Statutes, Title 5, sections 12022 and 12023, and alerting the Government Oversight Committee to any concerns identified. The statutory requirements address expectations for quasi-independent state entities with regard to procurement practices, payments for membership dues and fees, gifts, donations and sponsorships and travel, meal and entertainment expenses. Public Law 2015, chapter 253 provides for review of those reports by those committees and their communicating to the Government Oversight Committee the results of the reviews and areas identified that should be reviewed in more depth.

**LD 1417 RESOLUTION, Proposing an Amendment to the Constitution of Maine Accepted Majority
To Change the Selection Process for the Attorney General (ONTP) Report**

<u>Sponsor(s)</u>	<u>Committee Report</u>	<u>Amendments Adopted</u>
STETKIS	ONTP OTP-AM	

This resolution proposes to amend the Constitution of Maine to change the selection process for the Attorney General. Currently, the Attorney General is selected by the Legislature. This resolution proposes that the Governor nominate and appoint the Attorney General, subject to confirmation by the Senate.

Committee Amendment "A" (H-392)

This amendment is the minority report and changes the effective date the amendment becomes part of the Constitution of Maine from the date of the proclamation, as stated in the resolution, to December 1, 2016 to allow the current Attorney General, who was elected by the Legislature, to finish the term.

**LD 1418 RESOLUTION, Proposing an Amendment to the Constitution of Maine Accepted Majority
To Provide for a Lieutenant Governor and Change the Line of (ONTP) Report
Succession for Governor**

<u>Sponsor(s)</u>	<u>Committee Report</u>	<u>Amendments Adopted</u>
STETKIS	ONTP OTP-AM	

This resolution proposes to amend the Constitution of Maine to eliminate the position of Secretary of State and replace it with the position of Lieutenant Governor, to be elected by popular vote and on the same ballot as is the Governor. Under this resolution, a person serving as Lieutenant Governor:

1. Is limited to serving two consecutive terms;
2. Is subject to the same eligibility requirements as is the Governor;

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- 3. Is first in line of succession to the position of Governor in the event of the Governor's death, resignation or removal from office; and
- 4. Is responsible for the duties currently held by the Secretary of State regarding storing and archiving official state records, overseeing elections and voting processes and overseeing the citizen's initiative and people's veto processes.

Committee Amendment "A" (H-427)

This amendment is the minority report of the committee. The amendment:

- 1. Delays the effective date for the changes approved by the voters at the November 2015 election until January 2018. The changes apply to the statewide election in November 2018;
- 2. Requires the Secretary of State in office on December 31, 2017 to continue to carry out the duties of the Secretary of State until a Lieutenant Governor takes office on January 2, 2019. These duties include those identified as duties of the Lieutenant Governor in the Constitution of Maine once the resolution goes into effect; and
- 3. Simplifies the ballot question.

**LD 1419 RESOLUTION, Proposing an Amendment to the Constitution of Maine Accepted Majority
To Change the Selection Process for the Treasurer of State (ONTP) Report**

<u>Sponsor(s)</u>	<u>Committee Report</u>	<u>Amendments Adopted</u>
STETKIS	ONTP OTP-AM	

This resolution proposes to amend the Constitution of Maine to change the selection process for the Treasurer of State. Currently, the Treasurer of State is selected by the Legislature. This resolution proposes that the Governor nominate and appoint the Treasurer of State, subject to confirmation by the Senate.

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SUBJECT INDEX

Cemeteries

Enacted

LD 862 An Act To Clarify Who May Authorize Repairs in a Burying Ground PUBLIC 294

Not Enacted

LD 1328 An Act To Clarify the Ownership of and Access to Ancient and Family Burying Grounds CARRIED OVER

Constitutional Officers

Not Enacted

LD 957 RESOLUTION, Proposing an Amendment to the Constitution of Maine To Provide for the Popular Election of the Attorney General, Secretary of State and Treasurer of State ONTP

LD 1417 RESOLUTION, Proposing an Amendment to the Constitution of Maine To Change the Selection Process for the Attorney General Majority (ONTP) Report

LD 1419 RESOLUTION, Proposing an Amendment to the Constitution of Maine To Change the Selection Process for the Treasurer of State Majority (ONTP) Report

County Government

Enacted

LD 82 An Act Concerning the Salary of Sheriffs PUBLIC 41

Not Enacted

LD 166 An Act To Allow York County To Better Provide Rescue and Ambulance Services CARRIED OVER

LD 564 An Act To Establish Appropriate Parameters for County Borrowing Authority Majority (ONTP) Report

LD 857 An Act To Prohibit Public Endorsement of Candidates for Office by County Employees and Elected Officials ONTP

LD 972 An Act To Provide for the Nonpartisan Election of County Officials Majority (ONTP) Report

LD 1190 An Act To Amend the Androscoggin County Charter CARRIED OVER

LD 1206 An Act To Allow County Corrections Officers To Participate in the Retired County and Municipal Law Enforcement Officers and Municipal Firefighters Health Insurance Program CARRIED OVER

Departments and Agencies of State Government

Enacted

LD 495	An Act To Make Minor Nonsubstantive Changes to the Laws Affecting the Office of the State Auditor	PUBLIC 44
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Not Enacted

LD 6	Resolve, To Implement Recommendations of the Government Oversight Committee To Strengthen the Ethics Practices and Procedures for Executive Branch Employees	CARRIED OVER
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Holidays

Enacted

LD 10	An Act To Establish Native American Heritage and Culture Day	PUBLIC 19
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Legislature and Legislative Process

Enacted

LD 681	An Act To Increase the Effectiveness of the Legislature	PUBLIC 102
LD 1046	An Act To Penalize Legislators for Excessive Absences	PUBLIC 134
LD 1395	An Act To Implement the Recommendations of the Government Oversight Committee To Ensure Legislative Review of Reports Submitted by Quasi-independent State Agencies	PUBLIC 253

Not Enacted

LD 80	RESOLUTION, Proposing an Amendment to the Constitution of Maine To Lower the Age Requirement To Run for Legislative Office	Died Between Houses
LD 106	RESOLUTION, Proposing an Amendment to the Constitution of Maine To Increase the Length of Terms of Senators to 4 Years	ONTP
LD 182	An Act To Eliminate Term Limits for Legislators	Majority (ONTP) Report
LD 406	An Act To Increase the Salaries of the Governor and Legislators	ONTP
LD 641	RESOLUTION, Proposing an Amendment to the Constitution of Maine To Elect 2 Senators from Each County	Majority (ONTP) Report
LD 897	An Act To Move a Township from House District 150 to House District 151	INDEF PP
LD 1012	RESOLUTION, Proposing an Amendment to the Constitution of Maine To Increase the Length of Terms of Senators	ONTP

Miscellaneous

Enacted

LD 110	An Act To Designate Pure Maine Maple Syrup as the Official State Sweetener	PUBLIC 70
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LD 245	An Act To Rename B Stream in Houlton as Captain Ambrose Bear Stream	PUBLIC 12
LD 916	An Act To Establish a Private Support Organization for the Maine Commission for Community Service	PUBLIC 94
<u>Not Enacted</u>		
LD 107	An Act To Recognize the Labrador Retriever as the Official State Dog	Majority (ONTP) Report
LD 137	An Act To Designate the Friendship Sloop as the Official State Maritime Symbol	Majority (ONTP) Report
LD 258	An Act Regarding Posting of Legal Notices and Legal Advertising	Majority (ONTP) Report
LD 741	An Act To Provide Expanded Powers to the Executive Director of the Kennebec Regional Development Authority	Leave to Withdraw
LD 1298	An Act Relating to the Creation of Public-private Facilities and Infrastructure	CARRIED OVER
LD 1418	RESOLUTION, Proposing an Amendment to the Constitution of Maine To Provide for a Lieutenant Governor and Change the Line of Succession for Governor	Majority (ONTP) Report

Municipalities and Quasi-Municipalities

Enacted

LD 1161	Resolve, To Modify the Deed for a Parcel of Property in the Town of Carrabassett Valley	RESOLVE 17 EMERGENCY
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Not Enacted

LD 46	An Act To Allow Municipal Boards of Appeal To Grant Setback Variances for Certain Hardships Caused by Prior Owners of the Property	ONTP
LD 67	An Act To Amend the Law Regarding the Annual Municipal Report Requirement	ONTP
LD 165	An Act Regarding the Funding of Volunteer Fire Departments	Majority (ONTP) Report
LD 167	An Act To Prohibit a Municipality from Holding a Referendum To Legalize the Recreational Use of Marijuana	ONTP
LD 224	An Act To Limit the Information Required To Be Printed on Municipal Referenda Ballots	Majority (ONTP) Report
LD 408	An Act To Help Municipalities Prepare for Changes in Sea Level	Veto Sustained
LD 450	An Act To Amend the Laws Regarding the Fund for the Efficient Delivery of Local and Regional Services	INDEF PP
LD 494	An Act Regarding the Maintenance of Easements	ONTP

LD 724	An Act To Authorize Municipal Fire Districts To Impose Service Charges	ONTP
LD 909	An Act To Help Older Adults Age in Place through Comprehensive Planning	Veto Sustained
LD 915	An Act To Facilitate Long-range Planning in Certain Municipalities	ONTP
LD 1325	An Act To Ensure a Public Process When Discontinuing or Abandoning a Public Road	CARRIED OVER
LD 1377	Resolve, To Establish the Commission To Study the Reduction of Unfunded and Outdated Municipal Mandates	Died Between Houses

Rulemaking

Not Enacted

LD 785	An Act To Provide for Legislative Review of Federally Mandated Major Substantive Rules under the Maine Administrative Procedure Act	ONTP
LD 999	An Act To Ensure Proper Adoption of Rules by All Departments, Agencies and Boards	Died Between Houses
LD 1274	An Act To Allow the Governor To Review Routine Technical Rules	ONTP
LD 1354	An Act To Improve the Maine Administrative Procedure Act	Died Between Houses

State Contracts and Fiscal Procedures

Enacted

LD 1166	An Act To Protect Taxpayers by Regulating Personal Services Contracts	PUBLIC 345
LD 1347	An Act To Implement Recommendations of the Government Oversight Committee To Clarify That Competitive Bid Provisions Apply to Grant Awards	PUBLIC 179

Not Enacted

LD 244	An Act To Require the Use of Preapproved Subcontractors for Publicly Funded Construction Projects	Died Between Houses
LD 331	An Act To Quantitatively Evaluate State Contracts	Majority (ONTP) Report
LD 407	An Act To Buy American-made Products	Died Between Houses
LD 1008	An Act To Extend Options for Publicly Funded Projects	Died Between Houses

State Government - General

Not Enacted

LD 874	An Act To Provide Transparency and Accountability of Taxpayer Funds	ONTP
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LD 1103	Resolve, To Study Understaffing in State Agencies	Died Between Houses
LD 1212	An Act To Support Transparency in Government through the Maine Capitol Connection Channel Program	Died On Adjournment
LD 1286	An Act To Ensure the Use of Environmentally Responsible Insulation Materials in Taxpayer-funded Building Projects	CARRIED OVER
LD 1378	An Act To Amend the Laws Governing the Issuance of Bonds and To Effectuate the Issuance of Bonds To Support Maine's Natural Resource-based Economy	Veto Sustained

State Property

Enacted

LD 114	Resolve, Authorizing the Bureau of General Services To Offer Certain Property to Kennebec County for 6 Months Prior to Listing the Property with Private Real Estate Brokers	RESOLVE 20
LD 638	An Act To Authorize the Transfer of State-owned Real Estate to the City of Belfast	PUBLIC 37
LD 732	Resolve, Authorizing the Commissioner of Administrative and Financial Services To Sell or Lease the Interests of the State in Certain Real Property Located in Bangor, Orono and Thomaston	RESOLVE 28
LD 780	Resolve, Authorizing the Director of the Bureau of Parks and Lands To Convey the Parcel of Land in Kittery Known as John Paul Jones Memorial Park to the Town of Kittery	RESOLVE 24
LD 1390	An Act To Amend the Boundaries of the Capitol Area	PUBLIC 168 EMERGENCY

Not Enacted

LD 496	Resolve, To Transfer Certain State-owned Property to the Town of East Millinocket	ONTP
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