

STATE OF MAINE
125TH LEGISLATURE
SECOND REGULAR SESSION



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

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

June 2012

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STAFF:

ANNA T. BROOME, LEGISLATIVE ANALYST
OFFICE OF POLICY AND LEGAL ANALYSIS
13 STATE HOUSE STATION
AUGUSTA, ME 04333
(207) 287-1670

*REPLACED REP. MICHAEL CELLI EARLY IN THE SESSION

Joint Standing Committee on State and Local Government

LD 287 An Act To Provide Savings to the State by Contracting Out Certain Services ONTP

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

This bill was carried over from the First Regular Session of the 125th Legislature.

This bill is a concept draft pursuant to Joint Rule 208. It proposes to identify the types of services provided by the State and the extent to which those services are provided by state employees or through contracts with private entities. The bill proposes the identification of the types of services provided by state employees that could be provided more effectively and with reduced cost by privately contracted services. The bill proposes to explore the practices of other states and identify private contracting practices that are effective and the actions that would be necessary to achieve similar benefits in Maine.

LD 543 An Act To Protect Legislative Intent in Rulemaking PUBLIC 479

<u>Sponsor(s)</u>	<u>Committee Report</u>	<u>Amendments Adopted</u>
PRESCOTT GOODALL	OTP-AM MAJ OTP-AM MIN	H-688

This bill was carried over from the First Regular Session of the 125th Legislature.

This bill is a concept draft pursuant to Joint Rule 208. This bill requires the review of agency rulemaking authority and establishes clearer distinctions between major substantive rules and routine technical rules to ensure that legislative grants of rulemaking authority are clear and specific enough to not result in agency misunderstanding of legislative intent or overly broad construction of the grant of rulemaking authority.

Committee Amendment "B" (H-688)

This amendment, which is the majority report of the committee, replaces the bill. The amendment requires a state agency to notify the primary sponsor of the legislation that authorized the rulemaking, as long as the rulemaking occurs within two years of the enactment of the legislation. The amendment also requires that by February 1st of each year the Secretary of State must provide the Executive Director of the Legislative Council with a list of all rules adopted by each agency in the previous calendar year. The Executive Director of the Legislative Council must forward the list to the joint standing committee or committees of the Legislature having jurisdiction over those rules. The list must include the statutory authority for the rule, the rule chapter number and title, the principal reason or purpose for the rule, a written statement explaining the factual and policy basis for the rule, whether the rule was major substantive or routine technical, whether the rule was adopted as an emergency and the fiscal impact of the rule. Each committee may require an agency to appear before it, and the committee is authorized to report out legislation in the same legislative session to adjust the rule-making authority of the agency if the committee considers it necessary.

Committee Amendment "C" (H-689)

This amendment, which is the minority report of the committee, replaces the bill. The amendment requires a state agency to notify the primary sponsor of the legislation that authorized the rulemaking, as long as the rulemaking

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occurs within two years of the enactment of the legislation. The amendment also requires that by February 1st of each year an agency that was authorized to adopt rules in the previous calendar year must provide a consolidated list of all rules adopted in that year to the Executive Director of the Legislative Council, who is required to refer the list to the joint standing committee or committees of the Legislature having jurisdiction over those rules. The consolidated list must include the statutory authority for the rule, the rule chapter number and title, the principal reason or purpose for the rule, a written statement explaining the factual and policy basis for the rule, whether the rule was major substantive or routine technical, whether the rule was adopted as an emergency and the fiscal impact of the rule. Each committee is authorized to report out legislation in the same legislative session to adjust the rule-making authority of the agency if the committee considers it necessary. This amendment was not adopted.

Enacted Law Summary

Public Law 2011, chapter 479 requires a state agency to notify the primary sponsor of the legislation that authorized the rulemaking, as long as the rulemaking occurs within two years of the enactment of the legislation. By February 1st of each year, the Secretary of State must provide the Executive Director of the Legislative Council with a list of all rules adopted by each agency in the previous calendar year. The Executive Director of the Legislative Council must forward the list to the joint standing committee or committees of the Legislature having jurisdiction over those rules. The list must include the statutory authority for the rule, the rule chapter number and title, the principal reason or purpose for the rule, a written statement explaining the factual and policy basis for the rule, whether the rule was major substantive or routine technical, whether the rule was adopted as an emergency and the fiscal impact of the rule. Each committee may require an agency to appear before it, and the committee is authorized to report out legislation in the same legislative session to adjust the rule-making authority of the agency if the committee considers it necessary.

LD 769 An Act To Review the Functions of the State Planning Office ONTP

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

This bill was carried over from the First Regular Session of the 125th Legislature.

This bill is a concept draft pursuant to Joint Rule 208. This bill proposes to restructure the Executive Department, State Planning Office. It retains within the State Planning Office those functions that are best performed by that office, and removes to other offices and entities those functions best performed by organizations other than the State Planning Office. As part of the restructuring, the roles of the regional planning commissions established pursuant to the Maine Revised Statutes, Title 30-A, chapter 119 would be more clearly defined, as is the role of the State Planning Office in the review of comprehensive plans developed pursuant to Title 30-A.

**LD 1550 An Act To Change Document Filing Fees for County Registries of Deeds VETO
SUSTAINED**

<u>Sponsor(s)</u>	<u>Committee Report</u>	<u>Amendments Adopted</u>
MOULTON COLLINS	OTP-AM MAJ ONTP MIN	H-711 H-851 MOULTON

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This bill was carried over from the First Regular Session of the 125th Legislature.

This bill increases the fee for recording an instrument, including plans, at all registries of deeds by \$12.

Committee Amendment "A" (H-711)

This amendment, which is the majority report of the committee, increases the fee for recording an instrument, including plans, at all registries of deeds by \$6, rather than \$12 as in the bill.

House Amendment "A" To Committee Amendment "A" (H-806)

This amendment allows the county commissioners for each county to establish the fee for recording an instrument at the registry of deeds for that county. The recording fee is limited to a maximum of \$19 for the first record page and \$21 for plans, the same amounts proposed in Committee Amendment "A." This amendment was not adopted.

House Amendment "A" (H-851)

This amendment removes the emergency preamble and emergency clause.

LD 1596 Resolve, To Review Laws and Policies Related to Discontinued and Abandoned Roads

RESOLVE 120

<u>Sponsor(s)</u>	<u>Committee Report</u>	<u>Amendments Adopted</u>
SAVIELLO	OTP-AM MAJ ONTP MIN	S-377

Under existing law, a public easement is retained on discontinued town ways. This bill authorizes municipal officers to propose placing restrictions on the public easement, such as limiting motorized vehicle traffic, as part of the discontinuance order approved by the local legislative body.

Committee Amendment "A" (S-377)

This amendment, which is the majority report of the committee, replaces the bill with a resolve establishing a stakeholder group of no more than 10 members to review laws and policies related to discontinued and abandoned roads. The stakeholder group is directed to examine issues relating to continued access through public easements, damage caused by abutting land owners and members of the public, maintenance of private roads that have public easements, methods to address problems of road damage and ways to maintain access for intermittent users who need access to a road. The stakeholder group must include representatives of the Department of Transportation, up to two residents that live on a discontinued or abandoned road with a public easement and members from statewide organizations representing municipalities, small woodlot owners, producers of forest products, snowmobilers and other interested parties. The Department of Conservation is required to report the stakeholder group's findings to the joint standing committee of the Legislature having jurisdiction over state and local government matters no later than January 15, 2013, and the committee is authorized to report out legislation to the First Regular Session of the 126th Legislature.

Enacted Law Summary

Resolve 2011, chapter 120 establishes a stakeholder group of no more than 10 members to review laws and policies related to discontinued and abandoned roads. The stakeholder group is directed to examine issues relating to continued access through public easements, damage caused by abutting land owners and members of the public, maintenance of private roads that have public easements, methods to address problems of road damage and ways to maintain access for intermittent users who need access to a road. The stakeholder group includes representatives of the Department of Transportation, up to two residents that live on a discontinued or abandoned road with a public

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easement and members from statewide organizations representing municipalities, small woodlot owners, producers of forest products, snowmobilers and other interested parties. The Department of Conservation is required to report the stakeholder group's findings to the joint standing committee of the Legislature having jurisdiction over state and local government matters no later than January 15, 2013, and the committee is authorized to report out legislation to the First Regular Session of the 126th Legislature.

LD 1616 An Act Concerning Copying Fees for Users of County Registries of Deeds

**PUBLIC 508
EMERGENCY**

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

Currently, the fees specified in statute for making abstracts and copies of records at county registries of deeds will be repealed July 31, 2012 and beginning August 1, 2012, county commissioners will set the fees. This bill eliminates the repeal and continues the fees specified in statute.

Enacted Law Summary

Public Law 2011, chapter 378 set copying fees until a sunset of July 31, 2012 and beginning August 1, 2012, county commissioners would have set the fees. Public Law 2011, chapter 508 eliminates the sunset so that the copying fees continue to be specified in statute.

Public Law 2011, chapter 508 was enacted as an emergency measure effective March 16, 2012.

LD 1631 An Act To Address Research and Teaching in Maine's Institutions of Higher Education by Amending the Laws Governing the Purchase of Goods and Services by the State Involving Institutions of Higher Education

PUBLIC 555

<u>Sponsor(s)</u>	<u>Committee Report</u>	<u>Amendments Adopted</u>
MASON	OTP-AM MAJ OTP-AM MIN	S-428

This bill allows the Director of the Bureau of General Services within the Department of Administrative and Financial Services to waive the requirement of competitive bidding for the purchase of goods and services if the purchase is part of a cooperative project between the State and a private, nonprofit, regionally accredited institution of higher education with a main campus in this State involving an activity assisting a state agency and enhancing the ability of the institution to fulfill its mission of teaching and research. The bill removes the requirement that the waiver be for an activity that has a public service component. Current law allows for such a waiver in the case of a cooperative project between the State and the University of Maine System or the Maine Community College System.

Committee Amendment "A" (S-428)

This amendment, which is the majority report of the committee, allows the Director of the Bureau of General Services within the Department of Administrative and Financial Services to waive the requirement of competitive bidding for the purchase of goods and services if the purchase is part of a cooperative project between the State and the Maine Maritime Academy. The amendment also restores language that was removed from current law in the bill requiring that such a cooperative project address the institution's mission of public service.

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Committee Amendment "B" (S-429)

This amendment, which is the minority report of the committee, allows the Director of the Bureau of General Services within the Department of Administrative and Financial Services to waive the requirement of competitive bidding for the purchase of goods and services if the purchase is part of a cooperative project between the State and the Maine Maritime Academy. It removes private nonprofit institutions of higher education from the list of institutions eligible for that waiver as in the bill. The amendment also restores language that was removed from current law in the bill requiring that such a cooperative project address the institution's mission of public service. This amendment was not adopted.

Enacted Law Summary

Public Law 2011, chapter 555 allows the Director of the Bureau of General Services within the Department of Administrative and Financial Services to waive the requirement of competitive bidding for the purchase of goods and services if the purchase is part of a cooperative project between the State and the Maine Maritime Academy or a private, nonprofit, regionally accredited institution of higher education with a main campus in this State involving an activity assisting a state agency and enhancing the ability of the institution to fulfill its mission of teaching and research. Previously, waivers for cooperative projects were limited to the University of Maine System and the Maine Community College System.

LD 1639 An Act To Allow the Adjutant General To Address a Joint Session of the Legislature

**PUBLIC 472
EMERGENCY**

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

Under current law, the Chancellor of the University of Maine System and the President of the Maine Community College System are invited annually to address the Legislature on matters within their purviews. This bill authorizes the President of the Senate and the Speaker of the House of Representatives to invite the Adjutant General to appear annually before a joint session of the Legislature to address the Legislature on defense, veterans' services and emergency management matters.

Enacted Law Summary

Public Law 2011, chapter 472 authorizes the President of the Senate and the Speaker of the House of Representatives to invite the Adjutant General to appear annually before a joint session of the Legislature to address the Legislature on defense, veterans' services and emergency management matters.

Public Law 2011, chapter 472 was enacted as an emergency measure effective February 10, 2012.

LD 1640 An Act To Promote POW/MIA Recognition Day

PUBLIC 490

<u>Sponsor(s)</u>	<u>Committee Report</u>	<u>Amendments Adopted</u>
TURNER RAYE	OTP-AM	H-705

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This bill requires the Governor to issue the proclamation designating the 3rd Friday in September as Prisoner of War - Missing in Action Recognition Day through a media outlet at least 48 hours in advance of the day. The bill also requires that the proclamation specify that the United States flag and the State of Maine flag be flown at half staff on that day. The bill requires that the Department of Education and the Department of Defense, Veterans and Emergency Management, Bureau of Maine Veterans' Services make appropriate information available within the limits of their budgets.

Committee Amendment "A" (H-705)

This amendment alters the bill to allow the Governor to issue a proclamation through a media outlet in advance of Prisoner of War - Missing in Action Recognition Day. It removes the language that would have required the United States flag to be flown at half staff because the President determines when the flag should be flown at half staff. It also clarifies that the State of Maine flag must be flown at half staff if the Governor considers it appropriate. Flag protocol determines that it would be inappropriate for the State of Maine flag to be at half staff if the President has raised the Prisoner of War - Missing in Action flag.

Enacted Law Summary

Public Law 2011, chapter 490 allows the Governor to issue the proclamation designating the 3rd Friday in September as Prisoner of War - Missing in Action Recognition Day through a media outlet at least 48 hours in advance of the day. On that day, the State of Maine flag must be flown at half staff if the Governor considers it appropriate. Flag protocol determines that it would be inappropriate for the State of Maine flag to be at half staff if the President has raised the Prisoner of War - Missing in Action flag. The Department of Education and the Department of Defense, Veterans and Emergency Management, Bureau of Maine Veterans' Services is required to make appropriate information available within the limits of their budgets.

LD 1681 An Act To Amend the Charter of the Lucerne-in-Maine Village Corporation

**P & S 22
EMERGENCY**

<u>Sponsor(s)</u>	<u>Committee Report</u>	<u>Amendments Adopted</u>
ROSEN R	OTP-AM	S-384

This bill amends the charter of the Lucerne-in-Maine Village Corporation to remove the requirement that a nonresident member of the Board of Overseers must reside within 25 miles of the Lucerne-in-Maine fire station and remove a restriction on the staggering of terms.

Committee Amendment "A" (S-384)

This amendment removes the provision from the charter of the Lucerne-in-Maine Village Corporation that requires the Board of Overseers to include both residents and nonresidents to serve on the board. It establishes a new procedure for elections. It clarifies that the members continue to have staggered terms by requiring that one seat expire each calendar year. If a vacancy occurs due to resignation before the annual summer meeting, the remaining board members must appoint a person to fill the position until the next summer meeting.

Enacted Law Summary

Private and Special Law 2011, chapter 22 amends the charter of the Lucerne-in-Maine Village Corporation to remove the requirement for the Board of Overseers to include both residents and nonresidents on the board. It establishes a new procedure for elections and clarifies that members continue to have staggered terms. If a vacancy occurs due to resignation before the annual summer meeting, the remaining board members must appoint a person to fill the position until the next summer meeting.

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Private and Special Law 2011, chapter 22 was enacted as an emergency measure effective March 8, 2012.

LD 1712 An Act Regarding the School Fund in the Town of Burlington

P & S 20

<u>Sponsor(s)</u>	<u>Committee Report</u>	<u>Amendments Adopted</u>
TURNER ROSEN R	OTP	

This bill authorizes the Town of Burlington to allow the funds remaining in the town's school and ministerial fund to lapse to the town's general fund.

Enacted Law Summary

Private and Special Law 2011, chapter 20 authorizes the Town of Burlington to allow the funds remaining in the town's school and ministerial fund to lapse to the town's general fund.

LD 1757 An Act To Require Agencies To Report the Costs of Pursuing Actions in Adjudicatory and Court Proceedings

ONTP

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

This bill requires state agencies to annually report expenditures for pursuing actions in adjudicatory and court proceedings to the joint standing committee of the Legislature having jurisdiction over that agency's activities. The report must include costs incurred directly by the agency as well as any costs incurred by the Office of the Attorney General.

LD 1815 An Act To Establish "The Dirigo March" as the Official March of the State

PUBLIC 536

<u>Sponsor(s)</u>	<u>Committee Report</u>	<u>Amendments Adopted</u>
KATZ	OTP-AM	S-418

This bill establishes "The Dirigo March" by Leo Pepin of Augusta as the official march of the State.

Committee Amendment "A" (S-418)

This amendment clarifies that "The Dirigo March" is a march rather than a song.

Enacted Law Summary

Public Law 2011, chapter 536 establishes "The Dirigo March" by Leo Pepin of Augusta as the official march of the State.

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LD 1821 Resolve, Regarding Prequalification Processes for Contractors

**DIED BETWEEN
HOUSES**

<u>Sponsor(s)</u>	<u>Committee Report</u>	<u>Amendments Adopted</u>
	OTP-AM A B OTP-AM C	

This resolve, which is submitted pursuant to Resolve 2011, chapter 74, requires the Department of Administrative and Financial Services, Bureau of General Services and the Department of Transportation to convene a stakeholder group to review the prequalification processes for contractors for projects administered by the University of Maine System, the Maine Community College System and municipalities to determine when the state prequalification system could be used. The stakeholder group is required to consider and determine a level of state funding appropriate for requiring these entities to use the state prequalification system. The Department of Administrative and Financial Services, Bureau of General Services and the Department of Transportation is required to invite the participation of representatives of the University of Maine System, the Maine Community College System, a statewide organization representing municipalities, a statewide organization representing contractors and other interested parties considered appropriate. The Department of Administrative and Financial Services, Bureau of General Services and the Department of Transportation are directed to report the findings and recommendations of the stakeholder group to the joint standing committee of the Legislature having jurisdiction over state and local government matters no later than January 15, 2013, and the committee is authorized to report out legislation to the First Regular Session of the 126th Legislature.

Committee Amendment "A" (S-456)

This amendment, which is the majority report of the committee, removes municipalities from the stakeholder group reviewing prequalification processes for contractors. In the amendment, the stakeholder group does not include a representative of municipalities, and municipal projects that require prequalification are not included as part of the review of when the state prequalification process can be used. The amendment adds to the stakeholder group representatives from a statewide organization representing organized labor and a statewide organization representing building trades within the State.

Committee Amendment "B" (S-457)

This amendment, which is a minority report of the committee, removes municipalities from the bill. The stakeholder group does not include a representative of municipalities, and municipal projects that require prequalification are not included as part of the review of when the state prequalification process can be used.

**LD 1843 An Act To Implement the Recommendations of the Office of Program
Evaluation and Government Accountability and the Government
Oversight Committee Regarding Quasi-independent State Entities**

PUBLIC 616

<u>Sponsor(s)</u>	<u>Committee Report</u>	<u>Amendments Adopted</u>
	OTP-AM	H-831

This bill implements recommendations of the Government Oversight Committee stemming from the report on the Maine Turnpike Authority issued by the Office of Program Evaluation and Government Accountability. The purpose of this bill is to improve transparency, accountability, governance and financial practices in specified areas

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for existing and future quasi-independent state entities.

Part A of the bill requires certain existing quasi-independent state entities to adopt and implement policies and procedures related to procurement practices, contributions made to outside organizations, and travel, meal and entertainment expenses. It also prohibits those entities from retaining persons other than entity staff for lobbying. This Part also clarifies that the entity's governing body is responsible for ensuring compliance with the adopted policies and for reporting annually to the Legislature on certain procurements and contributions. Part A also establishes a framework for joint standing committees of the Legislature to use in assessing whether proposed quasi-independent state entities should be required to follow these requirements and to help ensure that strong governance structures are incorporated into legislation for future quasi-independent state entities.

Part B of the bill gives a joint standing committee of the Legislature authority to submit legislation to the 126th Legislature to add an existing quasi-independent state entity to the list of agencies that must adhere to the requirements established in Part A for financial policies and procedures and reporting to the Legislature or to incorporate the provisions required for future quasi-independent state entities into the laws governing existing entities that fall under the committee's jurisdiction.

Committee Amendment "A" (H-831)

This amendment removes the Board of Licensure in Medicine, the Combat Sports Authority of Maine, the Maine Educational Center for the Deaf and Hard of Hearing and the Governor Baxter School for the Deaf, and the State Board of Nursing from the list of quasi-independent state entities required to adopt policies and procedures under the bill. It prohibits the quasi-independent state entities in the bill from hiring a lobbyist rather than prohibiting lobbying as in the bill. It clarifies that governing boards filing ongoing reports to the Legislature relating to procurement, contributions and changes made to policies for compliance are for the most recent budget cycle, either for January 1st to December 31st or July 1st to June 30th, depending on the cycle the entity uses. It also clarifies that the report due on February 1, 2014 only covers a 6-month period, from July 1, 2013 to December 31, 2013. The amendment corrects a reference to these annual reports being required under a subsection rather than a section. The amendment also requires the Executive Director of the Legislative Council to forward the annual reports to the appropriate joint standing committee or committees of the Legislature.

Enacted Law Summary

Public Law 2011, chapter 616 implements recommendations of the Government Oversight Committee stemming from the report on the Maine Turnpike Authority issued by the Office of Program Evaluation and Government Accountability. The purpose is to improve transparency, accountability, governance and financial practices in specified areas for existing and future quasi-independent state entities. It requires certain quasi-independent state agencies to adopt and implement policies and procedures related to procurement practices, contributions made to outside organizations, and travel, meal and entertainment expenses. It also prohibits those agencies from retaining persons other than entity staff as lobbyists. The law establishes a framework for joint standing committees of the Legislature to use in assessing whether proposed quasi-independent state entities should be required to follow these requirements and to help ensure that strong governance structures are incorporated into legislation for future quasi-independent state entities. It also gives authority to a joint standing committee of the Legislature to submit legislation to the 126th Legislature to add an existing quasi-independent state entity to the list of agencies that must adhere to the newly established requirements.

LD 1881 An Act Regarding the Commercial Sale of Deeds Records

ONTP

Sponsor(s)

Committee Report

Amendments Adopted

ONTP

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This bill prohibits the resale of digital abstracts and copies of deeds. A person requesting 1,000 or more consecutive deeds records must file a signed written statement with the register of deeds that the records are not being requested with the intent to resell. A person who resells deeds commits a civil violation for which a fine of not more than \$1,000 may be adjudged. A person who executes a statement containing a false statement commits unsworn falsification under the Maine Revised Statutes, Title 17-A, section 453. This prohibition does not apply to commercial activity for which the exchange of copies of abstracts and deeds records is incidental to the activity, such as a real estate closing.

LD 1898 Resolve, Authorizing the Lease of the Guy P. Gannett House in Augusta to a Nonprofit Organization for Use as a Museum RESOLVE 152

<u>Sponsor(s)</u>	<u>Committee Report</u>	<u>Amendments Adopted</u>
KATZ	OTP-AM	S-499

This resolve authorizes the Commissioner of Administrative and Financial Services to lease the Guy P. Gannett House in the City of Augusta to a nonprofit organization for use as a museum.

Committee Amendment "A" (S-499)

This amendment incorporates a fiscal note.

Enacted Law Summary

Resolve 2011, chapter 152 authorizes the Commissioner of Administrative and Financial Services to lease the Guy P. Gannett House in the City of Augusta to a nonprofit organization for use as a museum.

LD 1904 An Act To Create the Leased Space Reserve Fund and To Amend the Law Regarding the Issuance of Securities under the Maine Governmental Facilities Authority and To Provide for the Transfer of Certain Land PUBLIC 689

<u>Sponsor(s)</u>	<u>Committee Report</u>	<u>Amendments Adopted</u>
KATZ	OTP-AM MAJ OTP-AM MIN	S-527

This bill makes the following changes to laws regarding state property.

1. It creates the Leased Space Reserve Fund, a nonlapsing fund to be used for costs related to relocation from leased spaces to state-owned facilities or relocation to lower-priced leased spaces and capital projects that construct, renovate or improve state facilities. It also authorizes the baseline allocation for the Leased Space Reserve Fund program.
2. It allows the use of securities issued by the Maine Governmental Facilities Authority to be used to purchase or acquire facilities.
3. It corrects an inaccurate deed reference authorizing the sale of the Patrick Theriault School property in Aroostook County and applies the correction retroactively to September 28, 2011, the effective date of the resolve authorizing the sale.

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4. It authorizes the State, through the Commissioner of Administrative and Financial Services, to purchase three pieces of property located in Augusta that are owned by the Maine Public Employees Retirement System using available resources. The purchase must be made by June 30, 2013.

Committee Amendment "A" (S-527)

This amendment, which is the majority report of the committee, adds to the bill authority for the Commissioner of Administrative and Financial Services to convey by sale a piece of property including easements and other access rights that is currently part of the Dorothea Dix Psychiatric Center to the Bangor Hydro Electric Company, as long as the amount of land to be sold and its boundary are determined to be in the best interests of the State.

Committee Amendment "B" (S-528)

This amendment, which is the minority report of the committee, is the same as the majority report except that any sale of the property is conditional upon design criteria that respect safety precautions against damage from solar storms and electromagnetic pulse.

This amendment was not adopted.

House Amendment "B" To Committee Amendment "A" (H-930)

This amendment requires the Commissioner of Administrative and Financial Services to recommend that Bangor Hydro Electric Company use design criteria that take into consideration available safety precautions against damage from solar storms and electromagnetic pulses.

This amendment was not adopted.

Enacted Law Summary

Public Law 2011, chapter 689 makes the following changes to laws regarding state property.

1. It creates the Leased Space Reserve Fund, a nonlapsing fund to be used for costs related to relocation from leased spaces to state-owned facilities or relocation to lower-priced leased spaces and capital projects that construct, renovate or improve state facilities. It also authorizes the baseline allocation for the Leased Space Reserve Fund program.
2. It allows the use of securities issued by the Maine Governmental Facilities Authority to be used to purchase or acquire facilities.
3. It corrects an inaccurate deed reference authorizing the sale of the Patrick Theriault School property in Aroostook County and applies the correction retroactively to September 28, 2011, the effective date of the resolve authorizing the sale.
4. It authorizes the State, through the Commissioner of Administrative and Financial Services, to purchase three pieces of property located in Augusta that are owned by the Maine Public Employees Retirement System using available resources. The purchase must be made by June 30, 2013.
5. It authorizes the Commissioner of Administrative and Financial Services to convey by sale a piece of property including easements and other access rights that is currently part of the Dorothea Dix Psychiatric Center to the Bangor Hydro Electric Company, as long as the amount of land to be sold and its boundary are determined to be in the best interests of the State.

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SUBJECT INDEX

County Government

Enacted

LD 1616 **An Act Concerning Copying Fees for Users of County Registries of Deeds** **PUBLIC 508
EMERGENCY**

Not Enacted

LD 1550 **An Act To Change Document Filing Fees for County Registries of Deeds** **VETO SUSTAINED**

LD 1881 **An Act Regarding the Commercial Sale of Deeds Records** **ONTP**

Departments and Agencies of State Government

Enacted

LD 1843 **An Act To Implement the Recommendations of the Office of Program Evaluation and Government Accountability and the Government Oversight Committee Regarding Quasi-independent State Entities** **PUBLIC 616**

Not Enacted

LD 769 **An Act To Review the Functions of the State Planning Office** **ONTP**

LD 1757 **An Act To Require Agencies To Report the Costs of Pursuing Actions in Adjudicatory and Court Proceedings** **ONTP**

Legislature and Legislative Process

Enacted

LD 1639 **An Act To Allow the Adjutant General To Address a Joint Session of the Legislature** **PUBLIC 472
EMERGENCY**

Monuments and Memorial Days

Enacted

LD 1640 **An Act To Promote POW/MIA Recognition Day** **PUBLIC 490**

LD 1815 **An Act To Establish "The Dirigo March" as the Official March of the State** **PUBLIC 536**

Municipalities and Quasi-Municipalities

Enacted

LD 1596	Resolve, To Review Laws and Policies Related to Discontinued and Abandoned Roads	RESOLVE 120
LD 1681	An Act To Amend the Charter of the Lucerne-in-Maine Village Corporation	P & S 22 EMERGENCY
LD 1712	An Act Regarding the School Fund in the Town of Burlington	P & S 20

Rulemaking

Enacted

LD 543	An Act To Protect Legislative Intent in Rulemaking	PUBLIC 479
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State Contracts and Fiscal Procedures

Enacted

LD 1631	An Act To Address Research and Teaching in Maine's Institutions of Higher Education by Amending the Laws Governing the Purchase of Goods and Services by the State Involving Institutions of Higher Education	PUBLIC 555
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Not Enacted

LD 1821	Resolve, Regarding Prequalification Processes for Contractors	DIED BETWEEN HOUSES
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State Government - General

Not Enacted

LD 287	An Act To Provide Savings to the State by Contracting Out Certain Services	ONTP
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State Property

Enacted

LD 1898	Resolve, Authorizing the Lease of the Guy P. Gannett House in Augusta to a Nonprofit Organization for Use as a Museum	RESOLVE 152
LD 1904	An Act To Create the Leased Space Reserve Fund and To Amend the Law Regarding the Issuance of Securities under the Maine Governmental Facilities Authority and To Provide for the Transfer of Certain Land	PUBLIC 689

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