

**STATE OF MAINE**  
126<sup>TH</sup> LEGISLATURE  
SECOND REGULAR SESSION



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

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

May 2014

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**STATE OF MAINE**  
126<sup>TH</sup> LEGISLATURE  
SECOND REGULAR SESSION  
**LEGISLATIVE DIGEST OF BILL SUMMARIES AND**  
**ENACTED LAWS**

The *Digest* is arranged within each committee by Legislative Document (LD) number. The committee report(s), prime sponsor and lead co-sponsor(s), if designated, are listed below each LD title. All adopted amendments are summarized and listed by paper number. A subject index is included with each committee.

Final action on each LD is noted to the right of the LD title. The following describes the various final actions.

*CARRIED OVER*.....carried over to a subsequent session of the Legislature  
*CON RES XXX* ..... chapter # of constitutional resolution passed by both houses  
*CONF CMTE UNABLE TO AGREE*..... Committee of Conference unable to agree; legislation died  
*DIED BETWEEN HOUSES* .....House & Senate disagreed; legislation died  
*DIED IN CONCURRENCE* ..... defeated in each house, but on different motions; legislation died  
*DIED ON ADJOURNMENT* ..... action incomplete when session ended; legislation died  
*EMERGENCY* .....enacted law takes effect sooner than 90 days after session adjournment  
*FAILED, EMERGENCY ENACTMENT or FINAL PASSAGE*.....emergency failed to receive required 2/3 vote  
*FAILED, ENACTMENT or FINAL PASSAGE*..... failed to receive final majority vote  
*FAILED, MANDATE ENACTMENT*.....legislation proposing local mandate failed required 2/3 vote  
*HELD BY GOVERNOR*..... Governor has not signed; final disposition to be determined at subsequent session  
*LEAVE TO WITHDRAW*.....sponsor's request to withdraw legislation granted  
*NOT PROPERLY BEFORE THE BODY*.....ruled out of order by the presiding officer; legislation died  
*INDEF PP*..... indefinitely postponed; legislation died  
*ONTP, ACCEPTED, MAJORITY, MINORITY or REPORT X*... ought-not-to-pass report accepted; legislation died  
*P&S XXX*..... chapter # of enacted private & special law  
*PUBLIC XXX* ..... chapter # of enacted public Law  
*RESOLVE XXX* ..... chapter # of finally passed resolve  
*VETO SUSTAINED*.....Legislature failed to override Governor's veto

The effective date for non-emergency legislation enacted in the Second Regular Session of the 126<sup>th</sup> Legislature is August 1, 2014. The effective date for legislation enacted as an emergency measure may be found in the enacted law summary for that legislation.

*Joint Standing Committee on State and Local Government*

**LD 211      An Act To Amend the Laws Governing the Limitation on County Assessments**

**ONTP**

<u>Sponsor(s)</u>	<u>Committee Report</u>	<u>Amendments Adopted</u>
JACKSON R THOMAS	ONTP	

This bill was carried over from the First Regular Session of the 126th Legislature.

This bill changes the definition of "property growth factor," which is integral in the calculation of a county's annual assessment limitation, in the laws governing the limitation on county assessments. The revised definition uses state valuation data in determining the property growth factor rather than relying on municipal reporting of data based on the assessed valuation of real and personal property.

**LD 1152      Resolve, To Continue Consultation and Conditions Prerequisite to the Sale or Lease of Certain Real Property in Hallowell**

**Accepted Majority (ONTP) Report**

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

This bill was carried over from the First Regular Session of the 126th Legislature.

Current law authorizes the State to sell or lease certain real property in the City of Hallowell and establishes conditions on the sale or transfer of the property. This resolve directs the State to enter into a lease to extend the current terms of School Administrative District 16 or any successor school administrative unit that includes the City of Hallowell as a tenant at the site through June 30, 2017. This resolve also specifies that a subgroup of stakeholders must be invited to participate in interviews of qualified developers and to participate in interviews with developers prior to the transfer of any portion of the site to a developer. This resolve also directs the Commissioner of Administrative and Financial Services to provide a written report to the Joint Standing Committee on State and Local Government on the status of all efforts toward the sale or transfer of the property.

**Committee Amendment "A" (H-679)**

This amendment is the minority report of the committee. It changes the title and strikes and replaces the resolve to clarify legislation regarding the sale or lease by the State of real estate located in the City of Hallowell.

Part A repeals all prior legislation governing the sale or lease of the Stevens School property located in the City of Hallowell.

It repeals the following:

1. Resolve 2003, chapter 92, Part A, which authorized the sale or lease of the Stevens School property located in the City of Hallowell and was repealed under its own terms on September 13, 2011;
2. Resolve 2009, chapter 102, which imposed conditions on the sale or transfer of property authorized by Resolve 2003, chapter 92, Part A;
3. Resolve 2011, chapter 70, Part B, which authorized the sale or lease of the Stevens School property located in the City of Hallowell, without mention of conditions, and which is to be repealed under its own terms on September

***Joint Standing Committee on State and Local Government***

13, 2016;

- 4. Resolve 2011, chapter 99, which amended Resolve 2009, chapter 102 to remove reference to the authority for sale and to impose the conditions on the sale of the property regardless of the authority for sale; and
- 5. Resolve 2013, chapter 53, section 6, which required that any proceeds from sales of the Stevens School property located in the City of Hallowell be deposited in the Department of Administrative and Financial Services, Bureau of General Services capital repair and improvement account for capital improvements as designated by the Commissioner of Administrative and Financial Services.

Part B of the amendment:

- 1. Authorizes the sale or lease of the Stevens School property located in the City of Hallowell as authorized in Resolve 2011, chapter 70;
- 2. Includes conditions from Resolve 2009, chapter 102; and
- 3. Incorporates the provisions from Resolve 2013, chapter 53 regarding the proceeds from the sales of the Stevens School property.

**LD 1177      *An Act To Implement the Recommendations from the Discontinued and Abandoned Roads Stakeholder Group*      **Died Between Houses****

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

This bill was carried over from the First Regular Session of the 126th Legislature.

This bill implements the recommendations of the stakeholder group established by the Department of Agriculture, Conservation and Forestry pursuant to Resolve 2011, chapter 120 to review discontinued and abandoned roads.

This bill provides that if a municipality decides to retain a public easement after the municipality discontinues a town way, the municipality must vote in the affirmative to retain the public easement and that if the municipality fails to maintain the public easement for two years, the public easement is discontinued and the public's interest in the easement is abolished.

The bill requires that a municipality give an easement to a property owner that requires access to the property owner's property if the municipality discontinues a town way. Current law allows a municipality to discontinue a town way by giving notice to all abutting property owners and the municipal planning board and filing an order of discontinuance with the municipal clerk.

The bill, beginning on January 1, 2016, requires that a municipality must vote in order to discontinue a town way.

The bill also requires that by January 1, 2016, every municipality prepare a list of all municipal town ways that the municipality intends to keep in repair with public funds pursuant to the Maine Revised Statutes, Title 23, chapter 304 and to publish the list on its publicly accessible website. If a town way has not been included on the list by January 1, 2016, the town way is discontinued with no public easement and the abutters of the town way have two years to file a claim against the municipality pursuant to Title 23, section 3027-A, subsection 2.

**Committee Amendment "A" (S-435)**

## *Joint Standing Committee on State and Local Government*

This amendment, which is the majority report of the committee, changes the laws governing discontinued and abandoned roads.

It specifies five steps a municipality must follow to discontinue a road: the notification of proposed discontinuance to the abutting property owners and municipal planning board; 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 discontinuance by the municipal legislative body; and the filing of the certificate of discontinuance by the municipal clerk in the registry of deeds, with the Department of Transportation and with the municipality.

The amendment also changes the law to require a municipality to go through the discontinuance procedure again in the 21st year after the discontinuance certificate was originally filed. If no vote is held, then the discontinuance continues until an abutting property owner petitions the municipality to reconsider the discontinuance or pursuant to other municipal action.

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.

The amendment provides that the statutory presumption of abandonment applies only to ways that have met the statutory requirements as of January 1, 2015. For all other public ways, the new discontinuance process will be the only means to cease the maintenance obligations of the municipality or county for the public way. Going forward, if the municipal officers have determined that a town way is presumptively abandoned pursuant to statute, the municipal clerk must file a record of this determination with the county registry of deeds, the Department of Transportation and the municipality. A way that is presumptively abandoned retains a public easement, as is the default position under current law. The amendment does not modify common law abandonment.

The amendment also gives a property owner abutting a discontinued or abandoned road in which a public easement exists the ability to bring a civil action in Superior Court for damages and injunctive relief against a person who causes damage to the road.

The amendment provides that, by January 1, 2016, a municipality must 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. The municipality must publish the list on its publicly accessible website or make copies available at the municipal office. The municipality must record the list at the county registry of deeds and with the Department of Transportation.

### **Committee Amendment "B" (S-436)**

This amendment, which is the minority report of the committee, changes the laws governing discontinued and abandoned roads.

It specifies five steps a municipality must follow to discontinue a road: the notification of proposed discontinuance to the abutting property owners and municipal planning board; 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 discontinuance by the municipal legislative body; and the filing of the certificate of discontinuance by the municipal clerk in the registry of deeds, with the Department of Transportation and with the municipality.

The amendment also changes the law to require a municipality to go through the discontinuance procedure again in

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the 21st year after the discontinuance certificate was originally filed. If no vote is held, then the discontinuance continues until an abutting property owner petitions the municipality to reconsider the discontinuance or pursuant to other municipal action.

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.

The amendment provides that the statutory presumption of abandonment applies only to ways that have met the statutory requirements as of January 1, 2015. For all other public ways, the new discontinuance process will be the only means to cease the maintenance obligations of the municipality or county for the public way. Going forward, if the municipal officers have determined that a town way is presumptively abandoned pursuant to statute, the municipal clerk must file a record of this determination with the county registry of deeds, the Department of Transportation and the municipality. A way that is presumptively abandoned retains a public easement, as is the default position under current law. The amendment does not modify common law abandonment.

The amendment also gives a property owner abutting a discontinued or abandoned road in which a public easement exists the ability to bring a civil action in Superior Court for damages and injunctive relief against a person who causes damage to the road.

The amendment provides that, during the first fiscal year when state-municipal revenue sharing is fully funded at 5 percent of the taxes imposed under the Maine Revised Statutes, Title 36, Parts 3 and 8, and Title 36, section 2552, subsection 1, paragraphs A to F and L, a municipality must 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. The municipality must publish the list on its publicly accessible website or make copies available at the municipal office. The municipality must record the list at the county registry of deeds and with the Department of Transportation.

### **House Amendment "A" To Committee Amendment "A" (H-710)**

This amendment amends Committee Amendment "A". The amendment:

1. Provides that a public easement in a discontinued or abandoned road has been retained if, as of January 1, 2016, there is no evidence of approval of an order of discontinuance by the municipal legislative body;
2. Provides that a person who causes damage to a discontinued or abandoned road in which a public easement exists commits a Class E crime; and
3. Clarifies the provision in the committee amendment that requires a public easement to be retained if the existing legal rights of abutting property owners to access their property will be eliminated. It provides that the access to the property must be in the same manner as prior to the discontinuance.

### **House Amendment "B" To Committee Amendment "A" (H-759)**

This amendment amends Committee Amendment "A." The amendment:

1. Removes the mandate preamble;
2. Removes the requirement that the clerk of a municipality file a record of a certificate of discontinuance with the registry of deeds, the Department of Transportation and the municipality;
3. Removes the requirement that a municipality, 21 years after a certificate of discontinuance has been filed, reconsider and vote on the discontinuance;

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4. Removes the requirement that those town ways that have not met the statutory presumption of abandonment by January 1, 2015 may only be discontinued by complying with the new discontinuance process proposed in the committee amendment. It also removes the requirement that the clerk of a municipality who determines that a town way has been determined abandoned under the old process file notice of that determination with the registry of deeds, the Department of Transportation and the municipality;
5. Removes the requirement that a municipality develop lists of all town ways that are currently maintained with public funds and that have been discontinued and abandoned since 1965, publish the lists and record the lists at the appropriate county registry of deeds and the Department of Transportation;
6. Provides that a public easement in a discontinued or abandoned road has been retained if, as of January 1, 2016, there is no evidence of approval of an order of discontinuance by the municipal legislative body;
7. Provides that a person who causes damage to a discontinued or abandoned road in which a public easement exists commits a Class E crime; and
8. Clarifies the provision in the committee amendment that requires a public easement to be retained if the existing legal rights of abutting property owners to access their property will be eliminated. It provides that the access to the property must be in the same manner as prior to the discontinuance.

### **Senate Amendment "A" To Committee Amendment "A" (S-463)**

This amendment amends Committee Amendment "A." The amendment:

1. Strikes the provision in the committee amendment that requires a municipality to go through a discontinuance procedure in the 21st year after a discontinuance certificate was originally filed;
2. Removes the provision in the committee amendment that as of January 1, 2015 the new discontinuance process will be the only means to terminate any interests held by a municipality for highway purposes;
3. Requires determinations by municipal officers or a court that a town way has been abandoned to be recorded with the registry of deeds, the Department of Transportation and the municipality. The committee amendment requires recordation of determinations only by the municipal officers;
4. Strikes the provision in the committee amendment that required municipalities to develop lists of town ways by January 1, 2016. This amendment instead authorizes municipalities to work collaboratively with the Department of Transportation to develop comprehensive road inventories; and
5. Provides that a person who causes damage to a discontinued or abandoned road in which a public easement exists commits a Class E crime.

### **Senate Amendment "B" To Committee Amendment "A" (S-488)**

This amendment amends Committee Amendment "A." The amendment:

1. Amends the time frames in which a municipal legislative body must vote on an order of discontinuance based on the type of municipal legislative body;
2. Adds a time limit to the requirement that the municipal clerk record a certificate of discontinuance;
3. Removes the requirement that a municipality, 21 years after a certificate of discontinuance has been filed, reconsider and vote on the discontinuance; and

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4. Changes the requirement that a municipality develop lists of all town ways that have been discontinued or abandoned since 1965 if known to a requirement that a municipality develop those lists if the information can be provided without research.

**LD 1254     An Act To Increase Consumption of Maine Foods in All State Institutions**

**Veto Sustained**

<u>Sponsor(s)</u>	<u>Committee Report</u>	<u>Amendments Adopted</u>
HICKMAN	OTP-AM	H-510
LACHOWICZ	OTP-AM	S-355    HILL

This bill was enacted by the Legislature during the First Regular Session of the 126th and was held by the Governor; final disposition occurred at the beginning of the Second Regular Session.

Current law requires state and school purchasers to buy meat, fish, dairy products, excluding milk and eggs, and species of fruits and fresh vegetables directly from Maine food producers or from food brokers. This bill establishes a minimum percentage of Maine foodstuffs that must be purchased, requiring at least 15% for the ten years beginning January 1, 2014, at least 25% for the next ten years and at least 35% beginning in 2034.

**Committee Amendment "A" (H-510)**

This amendment is the majority report of the committee and changes the implementation dates and minimum percentages regarding Maine foodstuffs that state and school purchasers must purchase directly from Maine food producers or food brokers. It changes the implementation schedule for Maine foodstuffs from at least 15% for the ten years beginning January 1, 2014, at least 25% for the next ten years and at least 35% beginning in 2034, to at least 15% by December 31, 2020, 20% by December 31, 2024, 25% by December 31, 2034 and 35% by December 31, 2035.

The amendment exempts from the requirements school purchasers at schools participating in the National School Lunch Program.

**Committee Amendment "B" (H-511)**

This amendment is the minority report of the committee and changes the implementation dates and minimum percentages regarding Maine foodstuffs that state and school purchasers must purchase directly from Maine food producers or food brokers. It changes the implementation schedule for Maine foodstuffs from at least 15% for the ten years beginning January 1, 2014, at least 25% for the next ten years and at least 35% beginning in 2034 to at least 15% by December 31, 2020, 20% by December 31, 2024, 25% by December 31, 2034, and 35% by December 31, 2035.

The amendment also removes from current law the exclusion of milk and eggs from foodstuffs that must be purchased by a state or school purchaser and the exclusion of milk and eggs from products for which quality standards must be established.

The amendment exempts from the requirements school purchasers at schools participating in the National School Lunch Program.

**Senate Amendment "A" To Committee Amendment "A" (S-355)**

This amendment adds a mandate preamble.

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**LD 1312     An Act To Create a Succession and Knowledge Transfer Plan for State Government     ONTP**

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

This bill was carried over from the First Regular Session of the 126th Legislature.

This bill directs the Director of the Bureau of Human Resources within the Department of Administrative and Financial Services to establish a plan to develop a pool of qualified internal candidates to fill vacancies at the managerial and senior staff levels within state agencies.

**LD 1541     An Act To Ensure That Legislators Share the Sacrifice with Civil Servants in the Event of a State Government Shutdown     Died In Concurrence**

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

This bill was carried over from the First Regular Session of the 126th Legislature.

This bill requires the salary of all Legislators to be reduced by an amount that is proportional to the length of a shutdown that occurs due to a biennial budget's not being enacted into law by July 1st of an odd-numbered year.

**Committee Amendment "A" (H-633)**

This amendment incorporates a fiscal note.

**LD 1606     Resolve, To Assist Veterans by Authorizing the Bureau of General Services To Sell Certain Property To Be Used for Transitional Housing for Veterans     RESOLVE 98**

<u>Sponsor(s)</u>	<u>Committee Report</u>	<u>Amendments Adopted</u>
WILSON LANGLEY	OTP-AM	H-678

This resolve gives the Commissioner of Administrative and Financial Services authority to sell the property located at 6 and 10 Arsenal Heights Drive and 7 and 11 Independence Drive on the campus of the land comprising the site of what is now or was formerly known as the Augusta Mental Health Institute to a nonprofit organization that provides services and shelter to homeless veterans for use as a homeless shelter exclusively for veterans.

**Committee Amendment "A" (H-678)**

This amendment specifies that the property to be sold is for transitional housing for veterans, and not a homeless veterans' shelter. It also specifies that the properties at 6 and 10 Arsenal Heights Drive may be sold only if the Commissioner of Health and Human Services has certified to the Commissioner of Administrative and Financial Services that the Department of Health and Human Services has no need for the properties for forensic psychiatric patients. The amendment corrects the address of one of the buildings from 7 to 17 Independence Drive. It also increases the time before the resolve is repealed from three to five years.

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**Enacted Law Summary**

Resolve 2013, chapter 98 gives the Commissioner of Administrative and Financial Services authority to sell the property located at 6 and 10 Arsenal Heights Drive and 17 and 11 Independence Drive on the campus of the land comprising the site of what is now or was formerly known as the Augusta Mental Health Institute to a nonprofit organization that provides services and shelter to homeless veterans for use as transitional housing exclusively for veterans. The properties at 6 and 10 Arsenal Heights Drive may be sold only if the Commissioner of Health and Human Services has certified to the Commissioner of Administrative and Financial Services that the Department of Health and Human Services has no need for the properties for forensic psychiatric patients.

**LD 1662     An Act To Clarify the Law Governing the Maintenance of Veterans' Grave Sites**

**PUBLIC 524**

<u>Sponsor(s)</u>	<u>Committee Report</u>	<u>Amendments Adopted</u>
JOHNSON C LONGSTAFF	OTP-AM	S-469

This bill:

1. Clarifies that the municipality in which an ancient burying ground is located is responsible for keeping in good condition only the graves, headstones, monuments and markers of Revolutionary soldiers and sailors and veterans of the Armed Forces of the United States;
2. Specifies that municipalities may collaborate with veterans' organizations, cemetery associations, civic and fraternal organizations and other interested persons in maintaining the grave sites of veterans; and
3. Repeals specific statutory guidelines regarding the maintenance of veterans' grave sites in public burying grounds and instead provides that each municipality in which a public burying ground is located must adopt standards of good condition and repair to which grave sites of veterans must be kept.

**Committee Amendment "A" (S-469)**

This amendment:

1. Provides that a municipality, in collaboration with veterans' organizations, cemetery associations, civic and fraternal organizations and other interested persons, must keep the grass, weeds and brush suitably cut and trimmed on veterans' grave sites in ancient burying grounds to the best of its ability from May 1st to September 30th of each year;
2. Provides that a municipality, in collaboration with veterans' organizations, cemetery associations, civic and fraternal organizations and other interested persons, may keep the grass, weeds and brush suitably cut and trimmed on grave sites of persons who are not designated as veterans in ancient burying grounds to the best of its ability from May 1st to September 30th of each year;
3. Allows a municipality to designate a caretaker to whom it delegates the municipality's functions regarding care of grave sites of persons who are not veterans in an ancient burying ground;
4. Requires a municipality, cemetery corporation or cemetery association, in collaboration with veterans' organizations, cemetery associations, civic and fraternal organizations and other persons, to keep grave sites of veterans in public burying grounds it owns and operates in good condition and repair from May 1st to September 30th unless a municipality, in collaboration with veterans' organizations, cemetery associations, civic and fraternal organizations and other interested persons, adopts standards of good condition and repair, instead of requiring a

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municipality to adopt standards as required in the bill. The standards that must be met include: ensuring that grass is suitably cut and trimmed; keeping a flat grave marker free of grass and debris; and keeping the burial place free of fallen trees, branches, vines and weeds;

- 5. Adds a definition of "public burying ground"; and
- 6. Specifies that a municipality or its designated caretaker must have access to any ancient burying ground within the municipality in order to determine if the ancient burying ground is being maintained properly, and if the ancient burying ground is not maintained properly, it gives the municipality the authority to take over the care or appoint a caretaker.

**Enacted Law Summary**

Public Law 2013, chapter 524:

- 1. Specifies that municipalities may collaborate with veterans' organizations, cemetery associations, civic and fraternal organizations and other interested persons in maintaining the grave sites of veterans;
- 2. Provides that a municipality, in collaboration with veterans' organizations, cemetery associations, civic and fraternal organizations and other interested persons, must keep the grass, weeds and brush suitably cut and trimmed on veterans' grave sites in ancient burying grounds to the best of its ability from May 1st to September 30th of each year;
- 3. Provides that a municipality, in collaboration with veterans' organizations, cemetery associations, civic and fraternal organizations and other interested persons, may keep the grass, weeds and brush suitably cut and trimmed on grave sites of persons who are not designated as veterans in ancient burying grounds to the best of its ability from May 1st to September 30th of each year;
- 4. Allows a municipality to designate a caretaker to whom it delegates the municipality's functions regarding care of grave sites of persons who are not veterans in an ancient burying ground;
- 5. Requires a municipality, cemetery corporation or cemetery association, in collaboration with veterans' organizations, cemetery associations, civic and fraternal organizations and other persons, to keep grave sites of veterans in public burying grounds it owns and operates in good condition and repair from May 1st to September 30th unless a municipality, in collaboration with veterans' organizations, cemetery associations, civic and fraternal organizations and other interested persons, adopts standards of good condition and repair. The standards that must be met include: ensuring that grass is suitably cut and trimmed; keeping a flat grave marker free of grass and debris; and keeping the burial place free of fallen trees, branches, vines and weeds;
- 6. Adds a definition of "public burying ground"; and
- 7. Specifies that a municipality or its designated caretaker must have access to any ancient burying ground within the municipality in order to determine if the ancient burying ground is being maintained properly, and if the ancient burying ground is not maintained properly, it gives the municipality the authority to take over the care or appoint a caretaker.

**LD 1711 An Act To Amend the Territory of the Bayville Village Corporation**

**P & S 19**

Sponsor(s)

KATZ

Committee Report

OTP

Amendments Adopted

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This bill amends the territory of the Bayville Village Corporation.

### **Enacted Law Summary**

Private and Special Law 2013, chapter 19 amends the territory of the Bayville Village Corporation.

**LD 1753     An Act To Redistrict the Knox County Budget Committee Districts**

**PUBLIC 481  
EMERGENCY**

Sponsor(s)

Committee Report

Amendments Adopted

OTP-AM

H-636

This bill implements the redistricting plan for the Knox County budget committee districts as adopted by the Knox County Commissioners.

### **Committee Amendment "A" (H-636)**

This amendment changes the date by which the Knox County Commissioners must prepare a ten-year redistricting plan for county budget committee seats from June 1, 1993 to June 1, 2021 to align it with the date the plan for reapportionment of county commissioner districts is submitted.

### **Enacted Law Summary**

Public Law 2013, chapter 481 implements the redistricting plan for the Knox County budget committee districts as adopted by the Knox County Commissioners. It also changes the date by which the Knox County Commissioners must prepare a ten-year redistricting plan for county budget committee seats from June 1, 1993 to June 1, 2021 to align it with the date the plan for reapportionment of county commissioner districts is submitted.

Public Law 2013, chapter 481 was enacted as an emergency measure effective March 16, 2014.

**LD 1800     An Act To Update Statutory Dates for the State Government Evaluation  
Act Review of Agencies**

**PUBLIC 505**

Sponsor(s)

Committee Report

Amendments Adopted

OTP-AM

H-681

This bill updates statutory dates for the State Government Evaluation Act review of agencies under the jurisdiction of joint standing committees pursuant to Public Law 2013, chapter 307, section 9. It also updates the date by which the joint standing committee of the Legislature having jurisdiction over state and local government matters must review the provisions and effects of the State Government Evaluation Act.

### **Committee Amendment "A" (H-681)**

This amendment clarifies that the joint standing committee of the Legislature having jurisdiction over state and local government matters must review State Government Evaluation Act provisions and effects by June 30, 2022, and at least once every ten years after that date, instead of by June 30, 2012, and at least once every ten years after June 30, 2012.

### **Enacted Law Summary**

Public Law 2013, chapter 505 updates statutory dates in statute for the State Government Evaluation Act review of agencies under the jurisdiction of joint standing committees pursuant to Public Law 2013, chapter 307, section 9. It also updates the date by which the joint standing committee of the Legislature having jurisdiction over state and

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local government matters must review the provisions and effects of the State Government Evaluation Act.

**LD 1801 An Act To Eliminate Inactive Boards and Commissions**

**PUBLIC 533**

<u>Sponsor(s)</u>	<u>Committee Report</u>	<u>Amendments Adopted</u>
	OTP-AM	H-742

This bill is reported out by the Joint Standing Committee on State and Local Government pursuant to Title 5, section 12006, subsection 2. As authorized by the law, and based on the Secretary of State's submission of boards and commissions to eliminate, the bill eliminates boards and commissions that have not reported on their activities to the Secretary of State for the last two calendar years or have been inactive during the preceding 24 months.

This bill eliminates boards and commissions that have failed to file an annual report as required by the Maine Revised Statutes, Title 5, section 12005-A for both 2012 and 2013 and those that have reported inactivity during 2012 and 2013.

1. The board eliminated for failing to file an annual report is:
  - A. The Advisory Board of the Maine Learning Technology Fund.
2. The boards and commissions eliminated for inactivity are:
  - A. The ATV Trail Advisory Council;
  - B. The Blaine House Commission;
  - C. The Legislative Youth Advisory Council;
  - D. The Maine Wild Mushroom Harvesting Advisory Committee;
  - E. The State Court Library Committee; and
  - F. The State Sentencing and Corrections Practices Coordinating Council.

**Committee Amendment "A" (H-742)**

This amendment removes the following boards and commissions from elimination for inactivity during 2012 and 2013:

1. The ATV Trail Advisory Council;
2. The Blaine House Commission; and
3. The Legislative Youth Advisory Council.

The amendment also adds the Blaine House Commission to the list of boards and commissions that are excluded from the Secretary of State's report for legislative repeal of boards and commissions that have not reported on their activities for the prior two calendar years or have been inactive for the 24 months preceding the report.

**Enacted Law Summary**

Public Law 2013, chapter 533 eliminates boards and commissions that have failed to file an annual report as

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required by the Maine Revised Statutes, Title 5, section 12005-A for both 2012 and 2013 and those that have reported inactivity during 2012 and 2013.

1. The board eliminated for failing to file an annual report is:
  - A. The Advisory Board of the Maine Learning Technology Fund.
2. The boards and commissions eliminated for inactivity are:
  - A. The Maine Wild Mushroom Harvesting Advisory Committee;
  - B. The State Court Library Committee; and
  - C. The State Sentencing and Corrections Practices Coordinating Council.

Public Law 2013, chapter 533 also adds the Blaine House Commission to the list of boards and commissions that are excluded from the Secretary of State's report for legislative repeal of boards and commissions that have not reported on their activities for the prior two calendar years or have been inactive for the 24 months preceding the report.

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## SUBJECT INDEX

### *Boards and Commissions*

#### Enacted

LD 1801 An Act To Eliminate Inactive Boards and Commissions PUBLIC 533

### *County Budget Process*

#### Enacted

LD 1753 An Act To Redistrict the Knox County Budget Committee Districts PUBLIC 481  
EMERGENCY

### *County Government*

#### Not Enacted

LD 211 An Act To Amend the Laws Governing the Limitation on County Assessments ONTP

### *Departments and Agencies of State Government*

#### Enacted

LD 1800 An Act To Update Statutory Dates for the State Government Evaluation Act Review of Agencies PUBLIC 505

#### Not Enacted

LD 1312 An Act To Create a Succession and Knowledge Transfer Plan for State Government ONTP

### *Miscellaneous*

#### Not Enacted

LD 1177 An Act To Implement the Recommendations from the Discontinued and Abandoned Roads Stakeholder Group Died Between Houses

### *Municipalities and Quasi-Municipalities*

#### Enacted

LD 1662 An Act To Clarify the Law Governing the Maintenance of Veterans' Grave Sites PUBLIC 524

LD 1711 An Act To Amend the Territory of the Bayville Village Corporation P & S 19

### *State Government - General*

#### Not Enacted

LD 1254 An Act To Increase Consumption of Maine Foods in All State Institutions Veto Sustained

LD 1541 An Act To Ensure That Legislators Share the Sacrifice with Civil Servants in the Event of a State Government Shutdown Died In Concurrence

### *State Property*

#### Enacted

LD 1606 Resolve, To Assist Veterans by Authorizing the Bureau of General Services To Sell Certain Property To Be Used for Transitional Housing for Veterans RESOLVE 98

#### Not Enacted

LD 1152 Resolve, To Continue Consultation and Conditions Prerequisite to the Sale or Lease of Certain Real Property in Hallowell Majority (ONTP) Report

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