

MAINE STATE LEGISLATURE

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L.D. 1859

DATE: March 26, 1996

(Filing No. S-528)

STATE AND LOCAL GOVERNMENT

Reported by: Senator LONGLEY of Waldo for the Committee.

Reproduced and distributed under the direction of the Secretary of the Senate.

**STATE OF MAINE
SENATE
117TH LEGISLATURE
SECOND REGULAR SESSION**

COMMITTEE AMENDMENT "A" to S.P. 749, L.D. 1859, Bill, "An Act to Authorize the Disposition of Property Interests at the Pineland Center"

Amend the bill in section 2 in subsection 1 in the last 2 lines (page 1, lines 41 and 42 in L.D.) by inserting after the following: "in its sole discretion" the following: 'subject to any federal, state or local permits or approvals required by law'

Further amend the bill in section 3 in the 10th line (page 2, line 27 in L.D.) by inserting after the following: "action" the following: 'as long as at least one member voting in favor of any committee action is either the chair of or a member of the Governor's Task Force on Pineland Center Reuse or the representative appointed by the municipal officers of the Town of New Gloucester'

Further amend the bill in section 12 in the 5th line (page 4, line 19 in L.D.) by striking out the following: "an oral or" and inserting in its place the following: 'a'

Further amend the bill in section 13 in subsection 3 by striking out all of the first 5 lines (page 6, lines 16 to 21 in L.D.) and inserting in their place the following:

'3. Income and expenses. The authority may make all expenditures necessary within available resources to carry out the purposes of this Act.'

Further amend the bill in section 13 in subsection 4 in the 3rd blocked paragraph in the last line (page 7, line 34 in L.D.)

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COMMITTEE AMENDMENT "A" to S.P. 749, L.D. 1859

by inserting after the following: "action." the following: 'The affirmative votes must include the votes of 2 representatives appointed pursuant to paragraphs C to G.'

Further amend the bill in section 13 in subsection 5 in the 6th line (page 8, line 7 in L.D.) by inserting after the following: "domain." the following: 'The purposes of a special utility district may include but are not limited to the following.'

Further amend the bill by inserting after section 13 the following:

Sec. 14. Funding. The Department of Administrative and Financial Services must designate, from the amounts appropriated to carry out the purposes of this Act, amounts sufficient to meet the requirements of the Maine Revised Statutes, Title 30-A, section 5685.

Sec. 15. Appropriation. The following funds are appropriated from the General Fund to carry out the purposes of this Act.

1995-96 1996-97

ADMINISTRATIVE AND FINANCIAL SERVICES, DEPARTMENT OF

Public Improvements - Planning/ Construction - Administration

All Other \$100,000 \$900,000

Provides funds for environmental cleanup and assisting the town of New Gloucester with zoning and site use planning related the Pineland property.'

Further amend the bill by relettering or renumbering any nonconsecutive Part letter or section number to read consecutively.

Further amend the bill by inserting at the end before the statement of fact the following:

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1995-96 1996-97

APPROPRIATIONS/ALLOCATIONS

General Fund	\$100,000	\$900,000
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This bill includes General Fund appropriations of \$100,000 and \$900,000 in fiscal years 1995-96 and 1996-97, respectively, to the Department of Administrative and Financial Services for environmental cleanup and assisting the town of New Gloucester with zoning and site use planning related to the Pineland Center property. The Governor's proposed supplemental budget also includes General Fund appropriations for this purpose.

The bill authorizes the sale or lease of the Pineland Center property and establishes the Pineland Conversion Committee to assist with certain aspects of the property disposal. The costs to reimburse members of the committee for their travel expenses can be absorbed within the existing resources of the Department of Administrative and Financial Services.

In the event that the Pineland Center property is not sold or substantially leased within 9 months of the effective date of the bill, the bill creates the Pineland Development Authority to assume the management responsibility for the center. While the authority's retention of any revenue generated by the property represents a loss of potential General Fund revenue, management by the authority will relieve the State of administrative costs that it would have otherwise incurred. The net effect of these factors can not be determined at this time.

This bill imposes some additional requirements on municipalities that will result in some minor additional expenditures. The Maine Revised Statutes, Title 30-A, section 5685 requires the Department of Administrative and Financial Services to designate amounts sufficient to meet at least 90% of these additional costs and to distribute the funds in accordance with a mandate payment distribution schedule.

Any costs incurred by municipalities to appoint members to the Pineland Conversion Committee or to the Pineland Development Authority will be paid by the Department of Administrative and Financial Services in accordance with that schedule.

The Department of Mental Health and Mental Retardation may owe the Department of Human Services an amount upon the sale of Pineland Center due to the recapture of depreciation expense under the Medicaid program. The amount of this liability, if any, can not be determined at this time.

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STATEMENT OF FACT

This amendment makes a technical change to the bill. It also provides that affirmative votes of the Pineland Conversion Committee and the Pineland Development Authority must include one and 2 votes, respectively, of local members, clarifies that future private uses of the property are subject to local zoning ordinances, requires that offers pursuant to section 12 of the bill must be in writing and clarifies that the purposes of special utility districts under section 13, subsection 5 of the bill are not exclusive. The amendment also adds an appropriation section and a fiscal note to the bill.