

# MAINE STATE LEGISLATURE

The following document is provided by the  
**LAW AND LEGISLATIVE DIGITAL LIBRARY**  
at the Maine State Law and Legislative Reference Library  
<http://legislature.maine.gov/lawlib>



Reproduced from scanned originals with text recognition applied  
(searchable text may contain some errors and/or omissions)

DATE: *March 17, 1998*

(Filing No. S- 534)

STATE AND LOCAL GOVERNMENT

Reported by:

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

STATE OF MAINE  
SENATE  
118TH LEGISLATURE  
SECOND REGULAR SESSION

COMMITTEE AMENDMENT "A" to S.P. 737, L.D. 2015, Bill, "An Act to Clarify the Law Requiring the Appointment of the Pineland Development Authority"

Amend the bill by inserting after the title and before the enacting clause the following:

'Emergency preamble. Whereas, Acts of the Legislature do not become effective until 90 days after adjournment unless enacted as emergencies; and

Whereas, it is important that this legislation be enacted immediately so there will be local representation on the conversion committee in the event there is an opportunity to sell or lease the Pineland Center; and

Whereas, in the judgment of the Legislature, these facts create an emergency within the meaning of the Constitution of Maine and require the following legislation as immediately necessary for the preservation of the public peace, health and safety; now, therefore,'

Further amend the bill by striking out everything after the enacting clause and before the summary and inserting in its place the following:

'Sec. 1. P&SL 1995, chapter 79, §1, sub-§3 is amended to read:

3. Pineland Conversion Committee. The "Pineland Conversion Committee," established in section 3 and referred to in this Act as the "committee," consists of the Commissioner of Administrative and Financial Services, or the commissioner's designee, who serves as chair; the Director of

**COMMITTEE AMENDMENT**

P 4/5

COMMITTEE AMENDMENT "A" to S.P. 737, L.D. 2015

2 the Bureau of General Services within the Department of  
3 Administrative and Financial Services; ~~the chair or any member of~~  
4 ~~the Governor's Task Force on Pineland Center Reuse as of October~~  
5 ~~1995 as established by Executive Order 4 Fiscal Year 1994-95;~~ a  
6 representative 3 representatives appointed by the Board ~~of~~  
7 ~~Selectmen~~ municipal officers of the Town of New Gloucester; one  
8 of whom must be the chair or a member of the Governor's Task  
9 Force on Pineland Center Reuse as of October 1995, as established  
10 by Executive Order 4 Fiscal Year 1994-95; a representative  
11 appointed by the municipal officers of the Town of North  
12 Yarmouth; a representative appointed by the municipal officers of  
13 the Town of Pownal; a representative appointed by the Town  
14 Council of the Town of Gray; and a representative appointed by  
15 the Governor.

16 **Sec. 2. P&SL 1995, c. 79, §3 is amended:**

17 **Sec. 3. Committee establishment; membership; appointment.** The  
18 ~~committee~~ Pineland Conversion Committee is established in ~~section~~  
19 ~~1, subsection 3~~ and consists of 5 ~~9~~ members, ~~appointed by the~~  
20 ~~Governor, to~~ and serve until such time as the Governor appoints  
21 members to the Pineland Development Authority pursuant to section  
22 13 or all interests in the state property have been conveyed. A  
23 committee member's term does not extend beyond 2 years from the  
24 effective date of this Act. Immediately after appointment, the  
25 member shall assume that member's duties. Any vacancy must be  
26 filled for the unexpired term by the Governor. ~~Three members are~~  
27 A quorum consists of 5 members. A majority of those members  
28 present and voting is required for the committee to take action  
29 as long as at least one member voting in favor of any committee  
30 action is either the chair of or a member of the Governor's Task  
31 Force on Pineland Center Reuse or the chair and 2 members voting  
32 in favor of any committee action are representative  
33 representatives appointed by the municipal officers of the Town  
34 of New Gloucester. A vacancy in the committee does not impair  
35 the right of committee members to exercise all rights and perform  
36 all the duties of the committee. The Governor may remove a  
37 member from the committee for misconduct.

38  
39  
40 A committee member is not entitled to receive compensation  
41 for services but is entitled to receive reimbursement for  
42 necessary expenditures, including travel expenses incurred in  
43 carrying out these services. A committee member is not an  
44 employee of the State or its agencies.

45  
46 The committee shall report to the joint standing committee  
47 of the Legislature having jurisdiction over state and local  
48 government matters on February 1, 1999 on the status of the  
49 committee's efforts to sell Pineland Center.

50  
51 **Emergency clause.** In view of the emergency cited in the  
52 preamble, this Act takes effect when approved.'

# COMMITTEE AMENDMENT

2 Further amend the bill by inserting at the end before the  
summary the following:

4  
6 **FISCAL NOTE**

8 This bill requires four municipalities to appoint members to  
serve on the Pineland Conversion Committee. If the timing of  
10 these appointments necessitates a special meeting for one or more  
of these municipalities, then this bill necessitates additional  
12 expenditures by a local unit of government. Any additional costs  
that may be required of these municipalities will be  
insignificant. In order for the State to require these  
14 municipalities to appoint members to the committee, the State  
must fund 90% of the additional local costs as required by the  
16 Constitution of Maine. No additional funding is included for the  
potential costs that may be incurred by these municipalities.

18  
20 The additional costs associated with reporting to the  
Legislature on the committee's efforts to sell Pineland Center  
22 can be absorbed by the Department of Administrative and Financial  
Services utilizing existing budgeted resources.'

24  
26 **SUMMARY**

28 This amendment removes all provisions in the bill pertaining  
to the Pineland Development Authority and adds revisions to the  
Pineland Conversion Committee and its membership. It also adds  
30 an emergency preamble and clause and a fiscal note to the bill.