

# MAINE STATE LEGISLATURE

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**STATE OF MAINE**  
124<sup>TH</sup> LEGISLATURE  
FIRST REGULAR SESSION



Summaries of bills, adopted amendments and laws enacted or finally passed during the First Regular Session of the 124<sup>th</sup> Maine Legislature coming from the

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

July 2009

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\* Rep. William P. Browne replaced Rep. Michael Celli for part of the First Regular Session. Rep. Celli will return for the Second Regular Session.

# STATE OF MAINE

124<sup>TH</sup> LEGISLATURE  
FIRST REGULAR SESSION



## LEGISLATIVE DIGEST OF BILL SUMMARIES AND ENACTED LAWS

This *Legislative Digest of Bill Summaries and Enacted Laws* summarizes all bills and adopted amendments and all laws enacted or finally passed during the First Regular Session of the 124<sup>th</sup> Maine Legislature.

The *Digest* is arranged alphabetically by committee, and within each committee by LD number. The committee report(s), prime sponsor and lead co-sponsor(s), if designated, are listed below each bill title. All adopted amendments are summarized and listed by paper number. A subject index is included with each committee. The appendices include a summary of relevant session statistics, an index of all bills by LD number and an index of enacted laws by law type and chapter number.

Final action on each bill is noted to the right of the bill title. The abbreviations used for various categories of final action are as follows:

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; bill died
DIED BETWEEN BODIES.....	House & Senate disagree; bill died
DIED IN CONCURRENCE.....	One body accepts ONTP report; the other indefinitely postpones the bill
DIED ON ADJOURNMENT.....	Action incomplete when session ended; bill died
EMERGENCY.....	Enacted law takes effect sooner than 90 days
FAILED EMERGENCY ENACTMENT/FINAL PASSAGE.....	Emergency bill failed to get 2/3 vote
FAILED ENACTMENT/FINAL PASSAGE.....	Bill failed to get majority vote
FAILED MANDATE ENACTMENT.....	Bill imposing local mandate failed to get 2/3 vote
NOT PROPERLY BEFORE THE BODY.....	Ruled out of order by the presiding officers; bill died
INDEF PP.....	Bill Indefinitely Postponed; bill died
ONTP (or Accepted ONTP report).....	Ought Not To Pass report accepted; bill died
P&S XXX.....	Chapter # of enacted Private & Special Law
PUBLIC XXX.....	Chapter # of enacted Public Law
RESOLVE XXX.....	Chapter # of finally passed Resolve
UNSIGNED.....	Bill held by Governor
VETO SUSTAINED.....	Legislature failed to override Governor's Veto

The effective date for non-emergency legislation enacted in the First Regular Session of the 124<sup>th</sup> Legislature is September 12, 2009. The effective date for legislation enacted as an emergency measure is specified in the enacted law summary for those bills.

*Joint Standing Committee on State and Local Government*

**LD 905**

**Resolve, Regarding the Sale of Certain Real Property in the City of  
Hallowell**

**RESOLVE 102**

<u>Sponsor(s)</u>	<u>Committee Report</u>	<u>Amendments Adopted</u>
TREAT	OTP-AM	H-358

This bill requires the Department of Administrative and Financial Services to meet and consult with the City of Hallowell prior to selling the property known as the Stevens/Reed Campus in Hallowell. The department shall also schedule a public hearing to discuss the use of the property and whether the use is consistent with the City of Hallowell's comprehensive plan and open space plan.

**Committee Amendment "A" (H-358)**

The amendment replaces the resolve. It requires the Department of Administrative and Financial Services, prior to sale or transfer of any property in the City of Hallowell authorized for sale by Resolve 2003, chapter 92, to reserve a parcel agreed to by the State and the City of Hallowell for municipal use, reserve a portion of the property for use by School Administrative District 16 or its successor, reserve a portion for open space, condition sale of certain buildings on preservation and rehabilitation according to the Maine Historic Preservation Commission and establish a stakeholder group prior to any transfer of the site. The Commissioner of Administrative and Financial Services shall provide a report to the Joint Standing Committee on State and Local Government on efforts toward sale or transfer by February 1, 2010. The amendment also removes the emergency preamble and clause.

**Enacted Law Summary**

Resolve 2009, chapter 102 requires the Department of Administrative and Financial Services, prior to sale or transfer of any property in the City of Hallowell authorized for sale by Resolve 2003, chapter 92, to reserve a parcel agreed to by the State and the City of Hallowell for municipal use, reserve a portion of the property for use by School Administrative District 16 or its successor, reserve a portion for open space, condition sale of certain buildings on preservation and rehabilitation according to the Maine Historic Preservation Commission and establish a stakeholder group prior to any transfer of the site. The Commissioner of Administrative and Financial Services shall provide a report to the Joint Standing Committee on State and Local Government on efforts toward sale or transfer by February 1, 2010.

**LD 918**

**An Act To Amend the Informed Growth Act To Provide a Local  
Management Option**

**ONTP**

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

This bill exempts a municipality from the Informed Growth Act if the municipality adopts an ordinance that determines the impact of a large-scale retail development on the surrounding community and requires an independent study by a qualified preparer. It also exempts a municipality that has adopted an ordinance prior to January 1, 2009 for determining the economic and community impacts of a large-scale retail development.