

MAINE STATE LEGISLATURE

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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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STATE OF MAINE

125TH LEGISLATURE
SECOND REGULAR SESSION



LEGISLATIVE DIGEST OF BILL SUMMARIES AND ENACTED LAWS

This *Legislative Digest of Bill Summaries and Enacted Laws* summarizes all LDs and adopted amendments and all laws enacted or finally passed during the Second Regular Session of the 125th Maine Legislature.

The *Digest* is arranged alphabetically by committee and 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. 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 LD is noted to the right of the LD title. The following describes the various final actions.

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

The effective date for non-emergency legislation enacted in the Second Regular Session of the 125th Legislature is Thursday, August 30, 2012. 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

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.

Joint Standing Committee on State and Local Government

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.