

MAINE STATE LEGISLATURE

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STATE OF MAINE
126TH LEGISLATURE
FIRST REGULAR SESSION



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

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

July 2013

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STATE OF MAINE

126TH LEGISLATURE

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LEGISLATIVE DIGEST OF BILL SUMMARIES AND ENACTED LAWS

This *Legislative Digest of Bill Summaries and Enacted Laws* contains summaries of all LDs and adopted amendments and all laws enacted or finally passed during the First Regular Session of the 126th 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.

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 First Regular Session of the 126th Legislature is October 9, 2013. 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 787 An Act To Encourage Municipal Infrastructure Improvement

ONTP

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

This bill expands the permissible uses for municipal incentive development zones to include municipal infrastructure improvements, including improvements to municipal tax-exempt property. The bill also provides that increases in the equalized just value of industrial and commercial property within a municipal incentive development zone will not be included in the just value of the municipality for the purposes of education funding.

LD 805 An Act To Require Notice to and Input from Municipalities in Which Certain Group Homes Are Located

PUBLIC 357

<u>Sponsor(s)</u>	<u>Committee Report</u>	<u>Amendments Adopted</u>
WILSON	ONTP OTP	

This bill requires the Department of Health and Human Services to provide specific information on the location of a residential facility providing services to forensic patients to the municipality in which the facility is to be located. Notice must be provided 120 days prior to the opening of the facility or to signing a contract with a community agency to provide residential services. The department must review any response and site alternatives provided by municipal officials.

Enacted Law Summary

Public Law 2013, chapter 357 requires the Department of Health and Human Services to provide specific information on the location of a residential facility providing services to forensic patients to the municipality in which the facility is to be located. Notice must be provided 120 days prior to the opening of the facility or to signing a contract with a community agency to provide residential services. The department must review any response and site alternatives provided by municipal officials.

LD 813 An Act To Promote the Sale of Maine Milk

**ACCEPTED
MAJORITY
(ONTP) REPORT**

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

This bill requires a state-owned or state-operated facility that sells or contracts with a person to sell beverages directly to the public, including a facility on the Maine Turnpike, to have available for sale milk processed at a milk plant in the State. This bill exempts facilities in an institutional setting in which sales of beverages to the public are incidental, including a state-owned postsecondary institution or correctional facility.

Committee Amendment "A" (H-153)

This amendment is the minority report of the committee. The amendment clarifies that a state-owned or state-operated facility that sells or contracts with a private person to sell milk directly to the public must make available for sale milk that has been processed in the State. The bill requires a facility that sells beverages, which

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may not necessarily include milk, to make available for sale milk processed in the State. The amendment excludes facilities on the Maine Turnpike from the facilities that must make milk processed in the State available for sale.

LD 814 An Act To Clarify the Request for Proposal Process ONTP

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

This bill proposes to require the Department of Administrative and Financial Services, Bureau of General Services to notify winning bidders that, once their initial contract for supplying goods or services has expired, they are required to go through the request for proposal process again in order to continue providing their goods or services.

LD 833 An Act To Allow Municipalities To Place Liens for Failure To Pay PUBLIC 197
Storm Water Assessments

<u>Sponsor(s)</u>	<u>Committee Report</u>	<u>Amendments Adopted</u>
MOONEN HASKELL	OTP-AM	H-181

This bill allows municipalities to place liens on real estate for delinquent storm water disposal system accounts in the same manner as municipalities are presently allowed for delinquent sewer and sewer disposal system accounts.

Committee Amendment "A" (H-181)

This amendment adds a definition for "storm water disposal system" and specifies that a municipality must provide the landlord or landlord's agent, if requested, with the current status of a tenant's storm water disposal system service account if nonpayment for that service could result in a lien against the property. The amendment also allows landlords access to tenant storm water disposal system service bill payment information.

Enacted Law Summary

Public Law 2013, chapter 197 allows municipalities to place liens on real estate for delinquent storm water disposal system accounts in the same manner as municipalities are presently allowed for delinquent sewer and sewer disposal system accounts. It defines "storm water disposal system" and specifies that a municipality must provide the landlord or landlord's agent, if requested, with the current status of a tenant's storm water disposal system service account if nonpayment for that service could result in a lien against the property. Public Law 2013, chapter 197 also allows landlords access to tenant storm water disposal system service bill payment information.

LD 855 Resolve, To Create a Study Group To Research the Possibility of a DIED IN
Virtual Legislature CONCURRENCE

<u>Sponsor(s)</u>	<u>Committee Report</u>	<u>Amendments Adopted</u>
CASAVANT DUTREMBLE	OTP-AM	H-467

This resolve establishes the Task Force To Study Issues Associated with Implementation of a Virtual Legislature.

Committee Amendment "A" (H-467)

This amendment provides that the President of the Senate and Speaker of the House each appoint one public