

# 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 electronic originals  
(may include minor formatting differences from printed original)

**STATE OF MAINE**  
126<sup>TH</sup> 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

**MEMBERS:**

SEN. COLLEEN M. LACHOWICZ, CHAIR  
SEN. STAN J. GERZOFKY  
SEN. RONALD F. COLLINS

REP. ANNE P. GRAHAM, CHAIR  
REP. ANDREA M. BOLAND  
REP. TERESEA M. HAYES  
REP. BRIAN D. BOLDUC  
REP. JUSTIN MARK CHENETTE  
REP. CATHERINE M. NADEAU  
REP. H. DAVID COTTA  
REP. SHARRI K. MACDONALD  
REP. ALLEN MICHAEL NADEAU  
REP. JETHRO D. PEASE

**STAFF:**

ALYSON MAYO, LEGISLATIVE ANALYST  
OFFICE OF POLICY AND LEGAL ANALYSIS  
13 STATE HOUSE STATION  
AUGUSTA, ME 04333  
(207) 287-1670

# STATE OF MAINE

126<sup>TH</sup> LEGISLATURE

FIRST REGULAR SESSION



## 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 126<sup>th</sup> 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 126<sup>th</sup> 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 1378      Resolve, Authorizing the Sale of the Guy P. Gannett House in Augusta  
for Use as a Museum**

**RESOLVE 50**

<u>Sponsor(s)</u>	<u>Committee Report</u>	<u>Amendments Adopted</u>
KATZ POULIOT	OTP-AM	S-174

This resolve authorizes the Commissioner of Administrative and Financial Services to sell "as is" at the current market value the State's interests in real estate located at 184 State Street in the City of Augusta, Maine and known as the Guy P. Gannett House to the Gannett House Project, a nonprofit organization, solely for use as a museum. It also requires that any change of use of the property must be approved by the commissioner and that if the Gannett House Project chooses to eventually sell the property, it must first offer the property at current market value to the State.

**Committee Amendment "A" (S-174)**

This amendment provides that the property at 184 State Street in the City of Augusta may be sold and eliminates the requirement that it be sold to the Gannett House Project but retains the requirement that it be sold for use as a museum. The amendment also provides that the resolve constitutes a change to the 2001 Capitol Planning Commission master plan. The amendment also requires that any proceeds from the sale of this property must be deposited in the Department of Administrative and Financial Services, Bureau of General Services' capital repair and improvement account.

**Enacted Law Summary**

Resolve 2013, chapter 50 authorizes the Commissioner of Administrative and Financial Services to sell "as is" at the current market value the State's interests in real estate located at 184 State Street in the City of Augusta, Maine and known as the Guy P. Gannett House for use as a museum. It requires that any proceeds from the sale of this property must be deposited in the Department of Administrative and Financial Services, Bureau of General Services' capital repair and improvement account. If the buyer of the property chooses to sell the Guy P. Gannett House, the real estate must first be offered to the Commissioner for purchase at the current market value and the joint standing committee of the Legislature having jurisdiction over state and local government matters must be notified. Resolve 2013, chapter 50 constitutes a change to the 2001 Capitol Planning Commission master plan.

**LD 1405      An Act To Repeal the Laws Establishing the Cumberland County  
Recreation Center and Transfer Authority to Cumberland County**

**ONTP**

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

This bill repeals Private and Special Law 1971, chapter 86, which established the Cumberland County Recreation Center to establish and operate the Cumberland County Civic Center, and transfers the rights and responsibilities to Cumberland County.

**LD 1408      An Act To Amend the Laws Relating to Secession by a Municipality  
from a County**

**PUBLIC 210  
EMERGENCY**

<u>Sponsor(s)</u>	<u>Committee Report</u>	<u>Amendments Adopted</u>
KNIGHT LACHOWICZ	OTP-AM	H-197

**Joint Standing Committee on State and Local Government**

This bill amends the procedure that a municipality must follow to secede from a county. Current law requires that, upon the receipt of a petition to secede signed by 10% of the number of voters in the municipality who voted at the last gubernatorial election, the municipal officers shall hold a public hearing and, if the voters approve, the municipality must seek approval from the Legislature to secede. This bill requires that the municipality receive the approval from the Legislature before the municipal officers hold a referendum to have the voters approve the secession.

**Committee Amendment "A" (H-197)**

This amendment clarifies that legislative approval is needed for a municipality to hold a vote on the proposed secession from a county, not for the proposed secession itself, as stated in the bill.

**Enacted Law Summary**

Public Law 2013, chapter 210 amends the procedure that a municipality must follow to secede from a county.

Public Law 2013, chapter 210 provides that legislative approval is needed for a municipality to hold a vote on the proposed secession from a county. Previously the procedure required that, upon the receipt of a petition to secede signed by 10% of the number of voters in the municipality who voted at the last gubernatorial election, the municipal officers shall hold a public hearing and, if the voters approve, the municipality must seek approval from the Legislature to secede.

Public Law 2013, chapter 210 was enacted as an emergency measure effective June 5, 2013.

**LD 1454      RESOLUTION, Proposing an Amendment to the Constitution of Maine      DIED BETWEEN  
To Establish a Unicameral Legislature      HOUSES**

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

This resolution proposes to amend the Constitution of Maine to abolish the Senate and the House of Representatives and to replace them with a unicameral Legislature made up of 151 members, referred to as Senators, who serve 4-year terms beginning in 2018. This reduction requires a reapportionment plan by the Legislature that convenes in 2015 so that the Legislature elected in November 2018 is unicameral.

**Committee Amendment "A" (S-234)**

This amendment, which is the majority report of the Joint Standing Committee on State and Local Government, incorporates a fiscal note.

**LD 1459      Resolve, Directing the Maine Library of Geographic Information Board      ONTP  
To Convene a Stakeholder Group To Study the Feasibility of Using  
Maine's GeoLibrary GeoPortal for a Pilot Project That Involves  
Geographic Information Systems Trail Mapping**

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

This resolve directs the Maine Library of Geographic Information Board to convene a stakeholder group to study the feasibility of using Maine's GeoLibrary GeoPortal for a pilot project that involves geographic information