

# MAINE STATE LEGISLATURE

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**STATE OF MAINE**  
126<sup>TH</sup> LEGISLATURE  
SECOND REGULAR SESSION



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

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

May 2014

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**STATE OF MAINE**  
126<sup>TH</sup> LEGISLATURE  
SECOND REGULAR SESSION  
**LEGISLATIVE DIGEST OF BILL SUMMARIES AND**  
**ENACTED LAWS**

The *Digest* is arranged 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.

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 Second Regular Session of the 126<sup>th</sup> Legislature is August 1, 2014. 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 1312     An Act To Create a Succession and Knowledge Transfer Plan for State Government     ONTP**

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

This bill was carried over from the First Regular Session of the 126th Legislature.

This bill directs the Director of the Bureau of Human Resources within the Department of Administrative and Financial Services to establish a plan to develop a pool of qualified internal candidates to fill vacancies at the managerial and senior staff levels within state agencies.

**LD 1541     An Act To Ensure That Legislators Share the Sacrifice with Civil Servants in the Event of a State Government Shutdown     Died In Concurrence**

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

This bill was carried over from the First Regular Session of the 126th Legislature.

This bill requires the salary of all Legislators to be reduced by an amount that is proportional to the length of a shutdown that occurs due to a biennial budget's not being enacted into law by July 1st of an odd-numbered year.

**Committee Amendment "A" (H-633)**

This amendment incorporates a fiscal note.

**LD 1606     Resolve, To Assist Veterans by Authorizing the Bureau of General Services To Sell Certain Property To Be Used for Transitional Housing for Veterans     RESOLVE 98**

<u>Sponsor(s)</u>	<u>Committee Report</u>	<u>Amendments Adopted</u>
WILSON LANGLEY	OTP-AM	H-678

This resolve gives the Commissioner of Administrative and Financial Services authority to sell the property located at 6 and 10 Arsenal Heights Drive and 7 and 11 Independence Drive on the campus of the land comprising the site of what is now or was formerly known as the Augusta Mental Health Institute to a nonprofit organization that provides services and shelter to homeless veterans for use as a homeless shelter exclusively for veterans.

**Committee Amendment "A" (H-678)**

This amendment specifies that the property to be sold is for transitional housing for veterans, and not a homeless veterans' shelter. It also specifies that the properties at 6 and 10 Arsenal Heights Drive may be sold only if the Commissioner of Health and Human Services has certified to the Commissioner of Administrative and Financial Services that the Department of Health and Human Services has no need for the properties for forensic psychiatric patients. The amendment corrects the address of one of the buildings from 7 to 17 Independence Drive. It also increases the time before the resolve is repealed from three to five years.

*Joint Standing Committee on State and Local Government*

**Enacted Law Summary**

Resolve 2013, chapter 98 gives the Commissioner of Administrative and Financial Services authority to sell the property located at 6 and 10 Arsenal Heights Drive and 17 and 11 Independence Drive on the campus of the land comprising the site of what is now or was formerly known as the Augusta Mental Health Institute to a nonprofit organization that provides services and shelter to homeless veterans for use as transitional housing exclusively for veterans. The properties at 6 and 10 Arsenal Heights Drive may be sold only if the Commissioner of Health and Human Services has certified to the Commissioner of Administrative and Financial Services that the Department of Health and Human Services has no need for the properties for forensic psychiatric patients.

**LD 1662 An Act To Clarify the Law Governing the Maintenance of Veterans' Grave Sites**

**PUBLIC 524**

<u>Sponsor(s)</u>	<u>Committee Report</u>	<u>Amendments Adopted</u>
JOHNSON C LONGSTAFF	OTP-AM	S-469

This bill:

1. Clarifies that the municipality in which an ancient burying ground is located is responsible for keeping in good condition only the graves, headstones, monuments and markers of Revolutionary soldiers and sailors and veterans of the Armed Forces of the United States;
2. Specifies that municipalities may collaborate with veterans' organizations, cemetery associations, civic and fraternal organizations and other interested persons in maintaining the grave sites of veterans; and
3. Repeals specific statutory guidelines regarding the maintenance of veterans' grave sites in public burying grounds and instead provides that each municipality in which a public burying ground is located must adopt standards of good condition and repair to which grave sites of veterans must be kept.

**Committee Amendment "A" (S-469)**

This amendment:

1. Provides that a municipality, in collaboration with veterans' organizations, cemetery associations, civic and fraternal organizations and other interested persons, must keep the grass, weeds and brush suitably cut and trimmed on veterans' grave sites in ancient burying grounds to the best of its ability from May 1st to September 30th of each year;
2. Provides that a municipality, in collaboration with veterans' organizations, cemetery associations, civic and fraternal organizations and other interested persons, may keep the grass, weeds and brush suitably cut and trimmed on grave sites of persons who are not designated as veterans in ancient burying grounds to the best of its ability from May 1st to September 30th of each year;
3. Allows a municipality to designate a caretaker to whom it delegates the municipality's functions regarding care of grave sites of persons who are not veterans in an ancient burying ground;
4. Requires a municipality, cemetery corporation or cemetery association, in collaboration with veterans' organizations, cemetery associations, civic and fraternal organizations and other persons, to keep grave sites of veterans in public burying grounds it owns and operates in good condition and repair from May 1st to September 30th unless a municipality, in collaboration with veterans' organizations, cemetery associations, civic and fraternal organizations and other interested persons, adopts standards of good condition and repair, instead of requiring a