

MAINE STATE LEGISLATURE

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STATE OF MAINE
126TH 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
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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 HOUSESHouse & 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
EMERGENCYenacted 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 126th 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

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

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municipality to adopt standards as required in the bill. The standards that must be met include: ensuring that grass is suitably cut and trimmed; keeping a flat grave marker free of grass and debris; and keeping the burial place free of fallen trees, branches, vines and weeds;

- 5. Adds a definition of "public burying ground"; and
- 6. Specifies that a municipality or its designated caretaker must have access to any ancient burying ground within the municipality in order to determine if the ancient burying ground is being maintained properly, and if the ancient burying ground is not maintained properly, it gives the municipality the authority to take over the care or appoint a caretaker.

Enacted Law Summary

Public Law 2013, chapter 524:

- 1. 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;
- 2. 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;
- 3. 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;
- 4. 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;
- 5. 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. The standards that must be met include: ensuring that grass is suitably cut and trimmed; keeping a flat grave marker free of grass and debris; and keeping the burial place free of fallen trees, branches, vines and weeds;
- 6. Adds a definition of "public burying ground"; and
- 7. Specifies that a municipality or its designated caretaker must have access to any ancient burying ground within the municipality in order to determine if the ancient burying ground is being maintained properly, and if the ancient burying ground is not maintained properly, it gives the municipality the authority to take over the care or appoint a caretaker.

LD 1711 An Act To Amend the Territory of the Bayville Village Corporation

P & S 19

Sponsor(s)

KATZ

Committee Report

OTP

Amendments Adopted