

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
126TH 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 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

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

Joint Standing Committee on State and Local Government

This bill amends the territory of the Bayville Village Corporation.

Enacted Law Summary

Private and Special Law 2013, chapter 19 amends the territory of the Bayville Village Corporation.

LD 1753 An Act To Redistrict the Knox County Budget Committee Districts

**PUBLIC 481
EMERGENCY**

<u>Sponsor(s)</u>	<u>Committee Report</u>	<u>Amendments Adopted</u>
	OTP-AM	H-636

This bill implements the redistricting plan for the Knox County budget committee districts as adopted by the Knox County Commissioners.

Committee Amendment "A" (H-636)

This amendment changes the date by which the Knox County Commissioners must prepare a ten-year redistricting plan for county budget committee seats from June 1, 1993 to June 1, 2021 to align it with the date the plan for reapportionment of county commissioner districts is submitted.

Enacted Law Summary

Public Law 2013, chapter 481 implements the redistricting plan for the Knox County budget committee districts as adopted by the Knox County Commissioners. It also changes the date by which the Knox County Commissioners must prepare a ten-year redistricting plan for county budget committee seats from June 1, 1993 to June 1, 2021 to align it with the date the plan for reapportionment of county commissioner districts is submitted.

Public Law 2013, chapter 481 was enacted as an emergency measure effective March 16, 2014.

LD 1800 An Act To Update Statutory Dates for the State Government Evaluation Act Review of Agencies

PUBLIC 505

<u>Sponsor(s)</u>	<u>Committee Report</u>	<u>Amendments Adopted</u>
	OTP-AM	H-681

This bill updates statutory dates for the State Government Evaluation Act review of agencies under the jurisdiction of joint standing committees pursuant to Public Law 2013, chapter 307, section 9. It also updates the date by which the joint standing committee of the Legislature having jurisdiction over state and local government matters must review the provisions and effects of the State Government Evaluation Act.

Committee Amendment "A" (H-681)

This amendment clarifies that the joint standing committee of the Legislature having jurisdiction over state and local government matters must review State Government Evaluation Act provisions and effects by June 30, 2022, and at least once every ten years after that date, instead of by June 30, 2012, and at least once every ten years after June 30, 2012.

Enacted Law Summary

Public Law 2013, chapter 505 updates statutory dates in statute for the State Government Evaluation Act review of agencies under the jurisdiction of joint standing committees pursuant to Public Law 2013, chapter 307, section 9. It also updates the date by which the joint standing committee of the Legislature having jurisdiction over state and