

MAINE STATE LEGISLATURE

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STATE OF MAINE
127TH LEGISLATURE
SECOND REGULAR SESSION



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

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

May 2016

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STAFF:

ALYSON MAYO, LEGISLATIVE ANALYST
OFFICE OF POLICY AND LEGAL ANALYSIS
13 STATE HOUSE STATION
AUGUSTA, ME 04333
(207) 287-1670
<http://legislature.maine.gov/legis/opla/>

* Committee member for a portion of the session

STATE OF MAINE

127TH LEGISLATURE

SECOND 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 Second Regular Session of the 127th 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. An appendix provides a summary of relevant session statistics.

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 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 127th Legislature is July 29, 2016. 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

14. A relative of a person interred in a family burying ground is given an easement to access the burying ground if a property surrounding the burying ground is conveyed in a way that makes it inaccessible from any public way. Current statute already gives this benefit to the spouse, ancestors and descendants of a person interred in a family burying ground. Under this bill, the easement may be used only during daylight hours, and the property owner must designate the direct route a person must use to access the family burying ground.

15. The property owner who gives access to the spouse, ancestors, descendants and relatives of a person interred in a family burying ground is not liable for any injuries sustained by a person accessing the burying ground by the designated direct route or within the boundaries of the burying ground.

LD 1456

Resolve, Authorizing the Commissioner of Administrative and Financial Services To Convey Approximately 0.75 Acre of Land in Madrid Township to the Madrid Historical Society

RESOLVE 67

| <u>Sponsor(s)</u> | <u>Committee Report</u> | <u>Amendments Adopted</u> |
|-------------------|-------------------------|---------------------------|
| SAVIELLO T | OTP-AM | S-377 |

This resolve authorizes the Commissioner of Administrative and Financial Services to convey a parcel of land of about 0.75 acre that abuts the Madrid Historical Society to the Madrid Historical Society.

Committee Amendment "A" (S-377)

This amendment retains the substance of the resolve and adds the following provisions.

1. It defines "state property" and "commissioner" for the purposes of the resolve.
2. It makes a clarification regarding the ownership of a parcel of land abutting the parcel to be sold.
3. It clarifies that the State acquired the parcel of land upon the deorganization of the Town of Madrid.
4. It authorizes the Commissioner of Administrative and Financial Services to negotiate and execute purchase and sale agreements and provides that the title of the property must be transferred from the State by quitclaim deed without covenant or release deed to the Madrid Historical Society.
5. It exempts the transfer from any statutory or regulatory requirement that the property be offered to a state or local agency or offered through competitive bidding.
6. It specifies that any proceeds from a sale must be deposited in the Unorganized Territory Education and Services Fund.
7. It provides that the resolve is repealed five years after its effective date.

Enacted Law Summary

Resolve 2015, chapter 67 authorizes the Commissioner of Administrative and Financial Services to convey a parcel of land of about 0.75 acre that abuts the Madrid Historical Society to the Madrid Historical Society. It authorizes the Commissioner of Administrative and Financial Services to negotiate and execute purchase and sale agreements and provides that the title of the property must be transferred from the State by quitclaim deed without covenant or release deed to the Madrid Historical Society. Resolve 2015, chapter 67 exempts the transfer from any statutory or regulatory requirement that the property be offered to a state or local agency or offered through competitive bidding and specifies that any proceeds from a sale must be deposited in the Unorganized Territory Education and Services Fund. It also provides that the resolve is repealed five years after its effective date.