

Joint Standing Committee on State and Local Government

PUBLIC 489 **An Act To Clarify the Time Period in Which Municipalities Must File Notices of Intent with the State for Purposes of Issuing Building Permits** **LD 1865**

<u>Sponsor(s)</u> BARSTOW		<u>Committee Report</u> OTP-AM		<u>Amendments Adopted</u> H-767
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Public Law 2005, chapter 489 specifies that the Department of Administrative and Financial Services, Bureau of General Services must notify the municipal manager or, in the absence of a manager, the first selectman, early in the design process of a proposed state construction project or public improvement within that municipality's boundaries. The municipality has 45 days to file notice of intent to review or issue permits for the project.

PUBLIC 490 **An Act To Expand Notification Requirements for Internal Control Inquiries Made by Nonstate Organizations** **LD 1862**

<u>Sponsor(s)</u> BARSTOW		<u>Committee Report</u> OTP-AM		<u>Amendments Adopted</u> H-760
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Public Law 2005, chapter 490 requires the State Controller to notify the State Auditor, the Office of Program Evaluation and Government Accountability and other interested parties when a nonstate organization requests access to state agency resources and records related to internal controls.

PUBLIC 552 **An Act To Amend the Definition of "Municipality" as It Relates to** **LD 2072**
EMERGENCY **the Maine Municipal Bond Bank Act**

<u>Sponsor(s)</u> SHERMAN CLUKEY		<u>Committee Report</u> OTP		<u>Amendments Adopted</u>
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Public Law 2005, chapter 552 amends the definition of "municipality" in the Maine Municipal Bond Bank Act to include any corporation owned entirely by any city, town, special district, county, plantation or municipal village corporation within the State and providing water, sewer or electric service or performing other essential governmental functions.

Public Law 2005, chapter 552 was enacted as an emergency measure effective April 6, 2006.

PUBLIC 554 **An Act To Strengthen the State Purchasing Code of Conduct Laws** **LD 1769**

<u>Sponsor(s)</u> ROTUNDO		<u>Committee Report</u> ONTP MAJ OTP-AM MIN		<u>Amendments Adopted</u> S-499
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Public Law 2005, chapter 554 makes several changes to the law regarding the state purchasing code of conduct. Specifically, the law:

1. Details the process that bidders must follow in filing an affidavit under the law;
2. Describes when investigations by the State Purchasing Agent will be initiated;
3. Sets out the factors that may be taken into account by the State Purchasing Agent in making a determination of whether the code of conduct has been violated;
4. Permits the State Purchasing Agent to take remedial action, including, but not limited to, terminating contracts against contractors that do not make good faith efforts to comply with the code of conduct; and
5. Establishes a working group whose task is to report on whether the State should form an independent consortium to monitor and investigate complaints of violations of the code of conduct and, if so, the manner in which such a consortium would be created and function. The working group must provide an interim progress report to the joint standing committee of the Legislature having jurisdiction over state and local government matters by September 1, 2006.

PUBLIC 584 **An Act To Clarify the Use of Dedicated Funds for the Preservation of Deeds Records** **LD 2063**

<u>Sponsor(s)</u> SCHNEIDER		<u>Committee Report</u> OTP-AM		<u>Amendments Adopted</u> S-538
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Public Law 2005, chapter 584 clarifies that the records preservation surcharge may not be used for initial recording of documents. It provides that any county that uses the dedicated surcharge for a purpose other than restoration, re-creation or preservation of deeds in the office of the register of deeds has committed a civil violation that results in a fine of \$100 a day from the date the money was withdrawn to the date it is restored. Fines must be paid out of the county budget and placed in the records preservation charge account.

PUBLIC 586 **An Act To Change the Date for Agency Submission of Provisionally Adopted Major Substantive Rules** **LD 2102**

<u>Sponsor(s)</u>		<u>Committee Report</u> OTP		<u>Amendments Adopted</u>
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Public Law 2005, chapter 586 changes the date for agency submission of provisionally adopted major substantive rules from 45 days prior to statutory adjournment to the close of business on the 2nd Friday in January of the year in which the rules are to be considered by the Legislature.

PUBLIC 656 **An Act To Promote Youth Involvement in County and Local Government** **LD 1880**

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<u>Sponsor(s)</u> CAIN	<u>Committee Report</u> OTP-AM	<u>Amendments Adopted</u> H-768 S-671 ROTUNDO
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Public Law 2005, chapter 656 creates the County and Local Government Internship Program, administered by the Margaret Chase Smith Center for Public Policy at the University of Maine, which pairs college-age students with county and local governments. Students must have completed at least 2 years of college or have just graduated from college and must be Maine residents or out-of-state students attending college in the State.

P & S 31 **An Act To Allow the Towns of Mapleton, Castle Hill and** **LD 1694**
EMERGENCY **Chapman To Deposit All Tax Revenues, Grant Revenues and**
Other Income and Revenues into One Depository Account

<u>Sponsor(s)</u> MARTIN	<u>Committee Report</u> OTP	<u>Amendments Adopted</u> S-445 MARTIN
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Private and Special Law 2005, chapter 31 authorizes the towns of Mapleton, Castle Hill and Chapman to create and maintain a common ownership depository account in the name of the 3 towns for the deposit of all tax revenues, grant revenues and other income and revenues received by the individual towns.

Private and Special Law 2005, chapter 31 was enacted as an emergency measure effective March 2, 2006.

P & S 35 **An Act To Change the Name of Little Island to Chickering Island** **LD 1942**

<u>Sponsor(s)</u> BROMLEY	<u>Committee Report</u> OTP	<u>Amendments Adopted</u>
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Private and Special Law 2005, chapter 35 changes the name of Little Island in Damariscotta Lake to Chickering Island.

P & S 47 **An Act To Authorize Chebeague Island To Secede from the Town** **LD 1735**
of Cumberland

<u>Sponsor(s)</u> MCKENNEY DAMON	<u>Committee Report</u> OTP-AM	<u>Amendments Adopted</u> H-915
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Private and Special Law 2005, chapter 47 authorizes the separation of Chebeague Island and certain surrounding islands from the Town of Cumberland and their incorporation into the Town of Chebeague Island. It details the agreements between the secession territory and the Town of Cumberland and the secession territory and School Administrative District 51.

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P & S 60

An Act Authorizing the Deorganization of Drew Plantation

LD 1762

<u>Sponsor(s)</u>	<u>Committee Report</u>	<u>Amendments Adopted</u>
RAYE	OTP-AM MAJ ONTP MIN	S-511

Private and Special Law 2005, chapter 60 provides for the deorganization of Drew Plantation in Penobscot County, subject to approval at local referendum. Deorganization is to be in accordance with the deorganization plan as amended February 1, 2006.

P & S 62

An Act To Increase Funding for the Intergovernmental Advisory Commission

LD 1714

<u>Sponsor(s)</u>	<u>Committee Report</u>	<u>Amendments Adopted</u>
	OTP-AM	H-769

Private and Special Law 2005, chapter 62 appropriates \$10,000 for the Intergovernmental Advisory Commission to be used for planning and holding a conference.

P & S 68

An Act To Amend the Boundaries between the City of Saco and The Town of Old Orchard Beach

LD 2115

EMERGENCY

<u>Sponsor(s)</u>	<u>Committee Report</u>	<u>Amendments Adopted</u>
HOBBINS		S-703 ROTUNDO

Private and Special Law 2005, chapter 68 amends the boundaries between the City of Saco and the Town of Old Orchard Beach.

Private and Special Law 2005, chapter 68 was enacted as an emergency measure effective June 1, 2006.

RESOLVE 130

Resolve, Directing State Agencies To Assist and Facilitate any Governmental Units Wishing To Work Cooperatively

LD 1127

<u>Sponsor(s)</u>	<u>Committee Report</u>	<u>Amendments Adopted</u>
ANDREWS BARSTOW	OTP-AM	S-434

Resolve 2005, chapter 130 directs each state agency to establish a process by which municipalities that are involved in the joint provision of services with other units of government may fulfill statutory filing requirements by filing jointly with those units. State agencies must report on the progress and the status of changes to the Executive Department, State Planning Office by November 30, 2006. The State Planning Office shall report its findings and recommendations to the joint standing committee of the Legislature having jurisdiction over state and local government matters.

Joint Standing Committee on State and Local Government

RESOLVE 133 **Resolve, Directing the Intergovernmental Advisory Commission
To Establish a Working Group To Develop a County Government
Capital Improvements Revolving Loan Fund** **LD 889**

<u>Sponsor(s)</u> WESTON		<u>Committee Report</u> OTP-AM		<u>Amendments Adopted</u> S-449
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Resolve 2005, chapter 133 directs the Intergovernmental Advisory Commission to establish a working group to examine the feasibility of, and develop an appropriate design for, a county government capital improvements revolving loan fund that would make available financial assistance to counties for construction and repair projects. The working group must include representatives from associations of county commissioners, registers of deeds, sheriffs, jail administrators and municipal officers as well as the Maine Governmental Facilities Authority. The working group shall report its findings to the joint standing committee of the Legislature having jurisdiction over state and local government matters by February 15, 2007.

RESOLVE 136 **Resolve, To Direct the Department of Audit To Establish a
Working Group To Develop a Model Chart of Accounts at All
Levels of Government** **LD 1713**

<u>Sponsor(s)</u>		<u>Committee Report</u> OTP-AM		<u>Amendments Adopted</u> H-752
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Resolve 2005, chapter 136 directs the Department of Audit to create a working group to develop a model chart of accounts. The model chart of accounts may be voluntarily adopted by municipalities, counties and the State, as applicable. The standard format is intended to allow towns to enter into cooperative agreements for cost-savings purposes. The Department of Audit shall report its findings to the Intergovernmental Advisory Commission by November 1, 2006.

RESOLVE 146 **Resolve, Directing the Department of Health and Human Services
To Establish a Working Group To Examine Ways for
Municipalities To Distribute More Heating Assistance** **LD 1846**

<u>Sponsor(s)</u> SCHATZ DAMON		<u>Committee Report</u> OTP-AM MAJ ONTP MIN		<u>Amendments Adopted</u> H-790
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Resolve 2005, Chapter 146 directs the Department of Health and Human Services to establish a working group to examine ways for municipalities to distribute more heating assistance to residents who are eligible for the federal Low Income Home Energy Assistance Program. The department shall submit its findings and recommendations, including suggested legislation, to the joint standing committee of the Legislature having jurisdiction over state and local government matters by December 15, 2006.

RESOLVE 168 **Resolve, Directing the Secretary of State To Establish a Task Force
EMERGENCY** **To Develop a Plan for the Maine State Cultural Building in** **LD 2082**

Joint Standing Committee on State and Local Government

Augusta

<u>Sponsor(s)</u>	<u>Committee Report</u>	<u>Amendments Adopted</u>
	OTP	H-886 BARSTOW

Resolve 2005, chapter 168 directs the Secretary of State to establish a task force to look at the long-term needs of the Maine State Cultural Building, including the possibility of constructing a new building. The task force shall consider the issues of space limitations, mechanical problems, energy inefficiencies and physical deterioration. It shall also seek to develop initiatives that use federal financing opportunities and take advantage of cooperation with the University of Maine System. The task force shall report to the joint standing committee of the Legislature having jurisdiction over state and local government matters and the Capitol Planning Commission by January 15, 2007.

Resolve 2005, chapter 168 was passed as an emergency measure effective April 6, 2006.

RESOLVE 177 Resolve, Authorizing the Commissioner of Administrative and Financial Services To Sell or Lease the Interests of the State in Certain Real Property Located on State Highway 191 in East Machias; U.S. Route 1 in Thomaston; U.S. Route 2 in Skowhegan; and Hospital Street in Augusta LD 1864

<u>Sponsor(s)</u>	<u>Committee Report</u>	<u>Amendments Adopted</u>
RECTOR SAVAGE	OTP-AM	H-927

Resolve 2005, chapter 177 authorizes the Commissioner of Administrative and Financial Services to sell or lease the State's interests in properties in East Machias, Thomaston, Skowhegan and Augusta, with the sale proceeds to be deposited into the Department of Administrative and Financial Services, Bureau of General Services' capital repair and improvement account for capital improvements and the lease proceeds to be deposited in the General Fund.

RESOLVE 178 Resolve, Regarding Legislative Review of Portions of Chapter 130: Implementing the State Purchasing Code of Conduct, a Major Substantive Rule of the Department of Administrative and Financial Services LD 1999

<u>Sponsor(s)</u>	<u>Committee Report</u>	<u>Amendments Adopted</u>
	OTP MAJ	S-541 SCHNEIDER
	OTP-AM MIN	

Resolve 2005, chapter 178 provides for legislative review of portions of Chapter 130: Implementing the State Purchasing Code of Conduct, a major substantive rule of the Department of Administrative and Financial Services.

RESOLVE 201 Resolve, Directing the Commissioner of Administrative and LD 1733

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Financial Services To Establish a Working Group To Develop Options for the Long-term Renovation and Use of the Stone Buildings, the Administrative Building and the Center Building Formerly Occupied by the Augusta Mental Health Institute

<u>Sponsor(s)</u> BARSTOW		<u>Committee Report</u> OTP-AM		<u>Amendments Adopted</u> H-973
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Resolve 2005, chapter 201 directs the Commissioner of Administrative and Financial Services to establish a working group to explore options for the renovation and occupancy of the Stone Buildings, the Administrative Building and the Center Building formerly occupied by the Augusta Mental Health Institute. The working group shall explore the possibilities of using bonds and public-private partnerships for renovation and options for occupancy including a combination of state agencies and private leases. The working group shall report to the joint standing committee of the Legislature having jurisdiction over state and local government matters by February 15, 2007.

RESOLVE 209 **Resolve, Authorizing the Commissioner of Administrative and Financial Services To Sell or Lease for Veterans' Housing the Interests of the State in Hedin Hall at the Dorothea Dix Psychiatric Center** **LD 1984**

<u>Sponsor(s)</u> PERRY J DUNN		<u>Committee Report</u> OTP-AM		<u>Amendments Adopted</u>
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Resolve 2005, chapter 209 authorizes the Commissioner of Administrative and Financial Services to sell or lease the State's interests in Hedin Hall, located on the campus of the Dorothea Dix Psychiatric Center, formerly known as the Bangor Mental Health Institute, for veterans' housing, with the sale proceeds to be deposited into the Department of Administrative and Financial Services, Bureau of General Services' capital repair and improvement account for capital improvements as designated by the commissioner and the lease proceeds to be deposited in the General Fund.

RESOLVE 212 **Resolve, Establishing an Apportionment Commission To Develop New Cumberland County Commissioner Districts** **LD 1728**

<u>Sponsor(s)</u> BARSTOW		<u>Committee Report</u> OTP-AM		<u>Amendments Adopted</u> H-840 H-1107 BARSTOW
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Resolve 2005, chapter 212 establishes an apportionment commission under the constitutional procedure for establishing an apportionment commission to apportion the districts of the Legislature. The commission is required to develop 2 plans to increase the number of Cumberland County commissioners from 3 districts to 5 or 7 districts. The Cumberland County commissioners vote to decide which plan may be submitted to the voters in Cumberland County. The commissioners are not required to submit the plan to the voters but may choose to do so at the June 2007 election. The plan must be submitted to the Legislature for enactment. Election of commissioners in the reapportioned districts would take place at the November 2008 election.

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RESOLVE 214 **Resolve, Authorizing the Commissioner of Administrative and Financial Services To Purchase the Department of Labor Building at 19 Union Street in Augusta and To Determine the Feasibility of Acquiring a Parcel of Land for Use as a Parking Lot by the Maine Criminal Justice Academy**

LD 1871

<u>Sponsor(s)</u>	<u>Committee Report</u>	<u>Amendments Adopted</u>
BARSTOW	OTP-AM MAJ ONTP MIN	S-576 SCHNEIDER S-686 ROTUNDO

Resolve 2005, chapter 214 authorizes the Commissioner of Administrative and Financial Services to negotiate the purchase of the Department of Labor building at 19 Union Street in Augusta, remove hazardous materials and begin the initial renovation design process using no more than \$1,800,000 from the Capital Construction and Improvements Reserve Fund. It also authorizes the Commissioner of Administrative and Financial Services, upon consultation with the Commissioner of Public Safety and the Department of Environmental Protection, to determine the feasibility of acquiring a parcel of land across from the Maine Criminal Justice Academy for use as a parking lot by the academy. The State currently holds a well and water line easement on the parcel that benefits the former Oak Grove School, currently known as the Maine Criminal Justice Academy.

POCKET VETO **An Act To Amend the Laws Governing the Enactment Procedures for Ordinances**

LD 1481

<u>Sponsor(s)</u>	<u>Committee Report</u>	<u>Amendments Adopted</u>
BROMLEY KOFFMAN	OTP-AM MAJ ONTP MIN	S-437 S-554 SCHNEIDER

LD 1481 was enacted by the Legislature but was not signed by the Governor at the time the summary was written. The bill would prohibit a municipality from nullifying or amending a municipal land use permit by a subsequent enactment, amendment or repeal of a local ordinance more than 75 days after the permit has received its final approval and, if required, a public hearing was held. It would also specify that these requirements do not affect any municipal ordinance that provides for a lapse of the permit or authority granted pursuant to the permit after a certain period of time.