

# MAINE STATE LEGISLATURE

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**STATE OF MAINE  
118TH LEGISLATURE**

**FIRST REGULAR SESSION  
AND  
FIRST SPECIAL SESSION**

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

**JULY 1997**

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*Sen. Jill M. Goldthwait*

*Sen. James D. Libby*

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**Maine State Legislature**

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**ONE HUNDRED EIGHTEENTH LEGISLATURE  
FIRST REGULAR AND FIRST SPECIAL SESSIONS**

**Summary Of Legislation Before The Joint Standing Committees  
August 1997**

We are pleased to provide this summary of bills that were considered by the 15 Joint Standing Committees of the Maine Legislature staffed by this office. The document is a compilation of bill summaries which describe each bill, committee amendments and other relevant amendments, as well as the final action taken on the bill. Also included are statistical summaries of bill activity this Session for the Legislature and each of its joint standing committees.

The document is organized for convenient reference to information on bills handled by the joint standing committees. It is organized alphabetically by committees and within committees by bill (LD) number. The committee report(s), prime sponsor for each bill and the lead co-sponsor(s), if designated, are listed below each bill title. All adopted amendments are listed by paper number. Two indices, a subject index and a numerical index by LD number are provided for easy reference to bills. They are located at the back of the document. A separate publication, History and Final Disposition of Legislative Documents, may also be helpful in providing information on the disposition of bills. These bill summaries also are available at the Law and Legislative Reference Library and on the Internet ([www.state.me.us/legis/opla](http://www.state.me.us/legis/opla)).

Final action on each bill is noted to the right of the bill title. The abbreviations used for various categories of final action are as follows:

- CARRIED OVER*.....*Bill carried over to Second Regular Session*
- CON RES XXX*.....*Chapter # of Constitutional Resolution passed by both Houses*
- CONF CMTE UNABLE TO AGREE*.....*Committee of Conference unable to agree; bill died*
- DIED BETWEEN BODIES*.....*House & Senate disagree; bill died*
- DIED IN CONCURRENCE*.....*One body accepts ONTP report; the other indefinitely postpones the bill*
- DIED ON ADJOURNMENT*.....*Action incomplete when session ended; bill died*
- EMERGENCY*.....*Enacted law takes effect sooner than 90 days*
- FAILED EMERGENCY ENACTMENT/FINAL PASSAGE*.....*Emergency bill failed to get 2/3 vote*
- FAILED ENACTMENT/FINAL PASSAGE*.....*Bill failed to get majority vote*
- FAILED MANDATE ENACTMENT*.....*Bill imposing local mandate failed to get 2/3 vote*
- INDEF PP*.....*Bill Indefinitely Postponed*
- ONTP*.....*Ought Not To Pass report accepted*
- OTP ND*.....*Committee report Ought To Pass In New Draft*
- OTP ND/NT*.....*Committee report Ought To Pass In New Draft/New Title*
- P&S XXX*.....*Chapter # of enacted Private & Special Law*
- PUBLIC XXX*.....*Chapter # of enacted Public Law*
- RESOLVE XXX*.....*Chapter # of finally passed Resolve*
- UNSIGNED*.....*Bill held by Governor*
- VETO SUSTAINED*.....*Legislature failed to override Governor's Veto*

Please note the effective date for all non-emergency legislation enacted in the First Regular Session (unless otherwise specified in a particular law) is June 26, 1997 and September 19, 1997 for the First Special Session.

*David E. Boulter, Director*

Offices Located in the State House, Rooms 101/107/135

LD 1220

**An Act to Require Economic Impact Criteria on State Procurement Procedures**

**PUBLIC 263**

<u>Sponsor(s)</u>	<u>Committee Report</u>	<u>Amendments Adopted</u>
BUTLAND	OTP-AM MAJ ONTP MIN	S-147

LD 1220 requires bidders for state contracts to furnish financial information that allows the State to assess the fiscal impact of the contracts on the State.

**Committee Amendment "A" (S-147)** replaces the original bill. The amendment allows the Director of the Bureau of General Services to accept the best-value bidder as opposed to the lowest responsible bidder. This change allows the State to consider other matters, such as compliance with state and federal laws as well as other fiscal impacts in determining a contract award.

*Enacted law summary*

Public Law 1997, chapter 263 allows the Director of the Bureau of General Services to accept the “best-value” bidder as opposed to the “lowest responsible” bidder. The change enables the director to consider other matters in determining a contract award.

LD 1228

**An Act to Establish the Permanent Compensation Policy Commission for Upper-level Positions in State Government and State Education Institutions**

**ONTP**

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

LD 1228 proposed to establish a permanent commission to study and recommend equitable policies and compensation for upper-level positions in State Government and state education institutions to ensure that those positions can attract the most highly qualified candidates. The commission would have been composed of three members appointed by the Governor, the President of the Senate and the Speaker of the House. Members would have been able to hold any public office or have been a member or employee of a state department, agency, board or commission.

**LD 1237**

**An Act to Require Legislators to Disclose Their Interest in Pending Legislation**

**ONTP**

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

LD 1237 proposed to require that the House and the Senate establish committees to allow Legislators to publicly disclose their interest in legislation when that interest does not disqualify the Legislator from voting, but may raise

questions about conflict of interest in the minds of the public. Legislators would have been required to disclose their interest in legislation as a result of their profession or business or the profession or business of a family member. Other voluntary disclosures would have been permitted at the Legislator’s discretion.

**LD 1238                      Resolution, Proposing an Amendment to the Constitution of Maine to Make Changes in the Selection and Term of the Secretary of State and Succession of the Office of Governor                      ONTP**

<u>Sponsor(s)</u>	<u>Committee Report</u>	<u>Amendments Adopted</u>
BENNETT DONNELLY	ONTP	

LD 1238 proposed to amend the Constitution of Maine to provide for the direct popular election of the Secretary of State for a four-year term beginning in 2000 and would have changed the line of succession to the governorship, placing the Secretary of State directly following the Governor.

**LD 1242                      An Act to Promote the Effective Delivery of Public Services                      ONTP**

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

LD 1242 proposed to establish standards to be met by State Government before it could contract for services outside of the civil service system. Notice of intent to contract would be required to be given to employee representatives, the Joint Standing Committee on Appropriations and Financial Affairs, the Joint Standing Committee on State and Local Government and interested parties.

**LD 1266                      An Act to Require the Deputy Commissioner of Inland Fisheries and Wildlife to be Appointed by the Governor and Confirmed by the Senate                      DIED IN CONCURRENCE**

<u>Sponsor(s)</u>	<u>Committee Report</u>	<u>Amendments Adopted</u>
UNDERWOOD HALL	ONTP      MAJ OTP      MIN	

Current law requires the Commissioner of Inland Fisheries and Wildlife to appoint a deputy commissioner. LD 1266 proposed to remove that authority and create the deputy commissioner position as an appointee of the Governor subject to confirmation by the Legislature.