

# MAINE STATE LEGISLATURE

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STATE OF MAINE  
114TH LEGISLATURE  
FIRST REGULAR SESSION



BILL SUMMARY  
JOINT STANDING COMMITTEE  
ON  
STATE AND LOCAL GOVERNMENT  
PART I - STATE GOVERNMENT

JULY 1989

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ONE HUNDRED AND FOURTEENTH LEGISLATURE  
FIRST REGULAR SESSION

JOINT STANDING COMMITTEE  
BILL SUMMARIES  
AUGUST 1989

This document is a compilation of the bill summaries prepared by this office for the Joint Standing Committees and Joint Select Committees of the Maine Legislature. The summaries are arranged by LD number for each committee.

All Adopted Amendments are listed, by paper number (e.g., H-584 or S-222), together with the sponsor for floor amendments. Final action is listed to the right of the title. If final House and Senate action differ, both are listed. Committee Reports and Floor Action are abbreviated as follows:

OTP	Ought to Pass
OTP-ND	Ought to Pass in New Draft
OTP-ND-NT	Ought to Pass in New Draft, New Title
OTP-A	Ought to Pass as Amended
ONTP	Ought Not to Pass
LVWD	Leave to Withdraw
INDEF PP	Indefinitely Postponed

Each individual summary was prepared by the analyst assigned, as noted for each committee. But, this document was produced by the efforts of all the office staff, including Research Assistant Barbara McGinn, and secretaries: Charlene Brann, and Valarie Parlin, and especially Laurette Knox who coordinated preparation of the overall document.

Please give us your suggestions and comments on these summaries and tell us of any inaccuracies.

SPONSOR(S)  
GAUVREAU  
LISNIK

COMMITTEE REPORT  
OTP-AM

AMENDMENTS ADOPTED  
S-160

SUMMARY

LD 1277 proposed:

- A. To provide the State Archivist with the necessary authority to recover documents, records, and other papers of the State from persons and organizations which are not authorized to possess these papers. The State Archivist will send, by registered mail, a notice to the person or organization in possession of State papers and demand the return of these papers.
- B. To establish as a Class E crime, any transfer of state documents or records to a non-authorized entity, following receipt of the notice.
- C. To authorize the State Archivist to petition the Superior Court for the return of state documents and records.

The Committee Amendment defines the term, "records."

**LD 1281 An Act to Require State Agencies to Pay Contractual Agencies  
a Late Charge for Delinquent Payments**

**ONTP**

SPONSOR(S)  
MELENDY  
CARTER

COMMITTEE REPORT  
ONTP

AMENDMENTS ADOPTED

SUMMARY

LD 1281 proposed that any state government agency would be required to pay late charges at an annual rate of 10% to any non-governmental entity if:

- A. the contract required it; and
- B. the required payment was not made within 30 days of the request.

The bill failed Committee approval because current law (5 MRSA §§1551-1558) provides for late payment fees. State agencies, under current law, are required to pay late payment fees to business concerns for failure to pay proper invoices within 25 working days from either receipt of the invoice or receipt of the goods or services, whichever is later.

Current law also provides that:

- A. The late fee cannot exceed the normal late charge of the business concern; and
- B. Late fees will not be assessed when payment is made from federal funds which are unexpectedly withheld and delayed from reaching the State in time to pay proper invoices.