

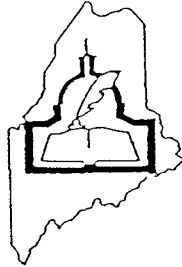
MAINE STATE LEGISLATURE

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STATE OF MAINE
114TH LEGISLATURE
SECOND REGULAR SESSION



BILL SUMMARIES
JOINT STANDING COMMITTEE
ON
STATE AND LOCAL GOVERNMENT

JUNE 1990

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**One Hundred and Fourteenth Legislature
Second Regular Session**

**Joint Standing Committee
Bill Summaries**

June 1990

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. Committee Reports and Floor Action are abbreviated as follows:

OTP
OTP-ND
OTP-ND-NT
OTP-A
ONTP
LVWD
INDEF PP

Ought to Pass
Ought to Pass in New Draft
Ought to Pass in New Draft, New Title
Ought to Pass as Amended
Ought Not to Pass
Leave to Withdraw
Indefinitely Postponed

Each individual summary was prepared by the analyst or analysts assigned to the committee. But, this document was produced by the efforts of all the office staff, including secretaries: Charlene Raymond, 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.

the state cost allocation formula that the State Archivist performs an administrative function separate from the other offices and bureaus of the Secretary of State. This change will allow the State Archivist to be more competitive with other states when seeking federal funding.

Senate Amendment "A" to LD 2246 added a fiscal note to the bill.

LD 2247 **An Act to Clarify the Law Governing the Aroostook County** **PUBLIC 686**
 Finance Committee **EMERGENCY**

SPONSOR(S)	COMMITTEE REPORT	AMENDMENTS ADOPTED
MARTIN J COLLINS GRAHAM LISNIK	OTP	

SUMMARY

LD 2247 clarified the manner of nominating candidates for membership on the Aroostook County Finance Committee.

LD 2248 **An Act to Discourage Public Competition with Private** **PUBLIC 726**
 Enterprise

SPONSOR(S)	COMMITTEE REPORT	AMENDMENTS ADOPTED
LARRIVEE CONLEY	OTP-AM	H-832 H-856 CONLEY

SUMMARY

LD 2248 prohibited municipal transit districts from selling any goods or services to any other entity except other transit districts, unless those goods or services were either essential to the purchaser or not available from another source. The intent of this bill was to limit the ability of transit districts to compete with private enterprise. Violations of these provisions were held as a Class E crime.

Committee Amendment "A" (H-832) to LD 2248 moderated the prohibition by allowing municipal transit districts to sell, rent or lease to municipalities and quasi-municipal corporations, as well as other transit districts, and by exempting advertising space on transit owned vehicles and existing vacant office or storage space owned by the transit district from the prohibition. Transit districts regulated by the Public Utilities Commission under Title 35-A, Part 5, were also exempted from the prohibition. In addition, the amendment changed the penalty from a Class E crime to a civil penalty not to exceed \$5,000.

House Amendment "A" (H-856) to Committee Amendment "A" modified the prohibition further, by extending permission to transit districts to sell, rent or lease services to the State.

LD 2254 **An Act to Implement the Recommendations of the Special** **PUBLIC 700**
 Commission to Study the Organization of the State's Cultural
 Agencies (Reported Pursuant to Public Law 1989, Chapter 501)

SPONSOR(S)	COMMITTEE REPORT	AMENDMENTS ADOPTED
	OTP-AM	S-546 S-549 BERUBE

SUMMARY

LD 2254 implements the recommendations of the Special Commission to Study the Organization of the State's Cultural Agencies by changing the existing structure of the state's cultural service agencies and

programs. The bill establishes a new "Maine State Cultural Affairs Council" and transfers to the Council all oversight responsibility for the State's four cultural service agencies: the Maine Historic Preservation Commission; the Maine Arts Commission; the Maine Museum Commission; and the Maine Library Commission. Administrative responsibility for those agencies previously fell within the Department of Education and Cultural Services. The bill also changes the name of the Department of Education and Cultural Services to the Department of Education.

Committee Amendment "A" (S-546) to LD 2254 places the library media responsibilities under the Commissioner of Education and requires that the Governor appoint the chair of the Maine Cultural Affairs Council from among the members of the four commissions.

**LD 2277 An Act to Create an Appeals Procedure for the State Bidding Process PUBLIC 785
EMERGENCY**

SPONSOR(S)	COMMITTEE REPORT	AMENDMENTS ADOPTED
BERUBE	OTP-AM	H-968 JOSEPH
CLARK N		S-571
JOSEPH		S-576 BUSTIN

SUMMARY

LD 2277 requires that the Bureau of Public Improvements adopt rules governing the acquisition of goods and services by the State through the competitive bidding process and the appeals procedure for aggrieved persons. The bill establishes standards governing the appeals procedure, including the right of an aggrieved person to request a stay of a contract award decision and to request an appeals hearing. Rules governing competitive bidding and the appeals procedure must be adopted by January 1, 1990.

House amendment "A" (S-571) to LD 2277 clarified the intent of the bill in several areas and changed the Appeals Board appointing authority from the State Controller to the Commissioner of Finance.

Senate Amendment "A" (S-576) to LD 2277 was a technical amendment offered by the Committee on Bills in the Second Reading which inserted 2 subsections that were inadvertently omitted from the bill.

LD 2299 An Act to Require That Relevant Experience Be a Consideration in Selecting Members of the State Employee Health Commission (Reported Pursuant to a Study Authorized by the Legislative Council) ONTP

SPONSOR(S)	COMMITTEE REPORT	AMENDMENTS ADOPTED
	ONTP	

SUMMARY

LD 2299 requires that members of the State Employee Health Insurance Commission appointed after September 1, 1990 must have experience that is relevant to the responsibility of the Commission. The Commission members serve as trustees of the state employee accident and health insurance program and as advisors to the program director on health insurance issues.