

## STATE OF MAINE 115TH LEGISLATURE

# FIRST REGULAR SESSION AND FIRST SPECIAL SESSION

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

## **AUGUST 1991**

### **MEMBERS:**

\*Sen. Georgette B. Berube Sen. Beverly Miner Bustin Sen. Jerome A. Emerson

\*Rep. Ruth Joseph Rep. Conrad Heeschen Rep. Anne M. Larrivee Rep. Glenith C. Gray Rep. Geo.ge J. Kerr Rep. Merton C. Waterman Rep. Marge Kilkelly Rep. Theone F. Look Rep. Lawrence F. Nash Rep. Elmer N. Savage

\*Denotes Chair

Staff:

Karen L. Hruby, Legislative Analyst

Office of Policy and Legal Analysis Room 101, State House Station 13 Augusta, ME 04333 (207) 289-1670 AARTHA E. FREEMAN, DIRECTOR VILLIAM T. GLIDDEN, JR., PRINCIPAL ANALYST ULIE S. JONES, PRINCIPAL ANALYST )AVID C. ELLIOTT, PRINCIPAL ANALYST ON CLARK )YAN M. DYTTMER SRO FLATEBO )EBORAH C. FRIEDMAN AICHAEL D. HIGGINS ANE ORBETON



KAREN L. HRUBY JILL IPPOLITI JOHN B. KNOX PATRICK NORTON MARGARET J. REINSCH PAUL J. SAUCIER HAVEN WHITESIDE MILA M. DWELLEY, RES. ASST. ROY W. LENARDSON, RES. ASST. BRET A. PRESTON, RES. ASST.

STATE OF MAINE OFFICE OF POLICY AND LEGAL ANALYSIS ROOM 101/107/135 STATE HOUSE STATION 13 AUGUSTA, MAINE 04333 TEL.: (207) 289-1670

## ONE HUNDRED AND FIFTEENTH LEGISLATURE FIRST REGULAR SESSION AND FIRST SPECIAL SESSION

## JOINT STANDING COMMITTEE BILL SUMMARIES

### AUGUST 1991

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 volume is organized alphabetically by committee; within each committee, the summaries are arranged by LD number. A subject index is provided at the beginning of each committee's summaries.

All adopted amendments are listed, by paper number (e.g., H - 584 or S - 222), together with the sponsor for floor amendments. Final action on each bill is listed to the right of the title. Various types of final action are abbreviated as follows:

| PUBLIC XXX                 | Chapter # of enacted Public Law                 |
|----------------------------|---|
| P&S XXX                    | Chapter # of enacted Private & Special Law      |
| RESOLVE XXX                | Chapter # of enacted Resolve                    |
| CON RES XXX Chapter # of C | Constitutional Resolution passed by both Houses |
| EMERGENCY                  | Enacted law takes effect sooner than 90 days    |
| CARRIED OVER               | Bill carried over to 2nd Session                |
| FAILED EMERGENCY ENACTMENT | <b>Bill failed to get 2/3 vote</b>              |
| ONTP                       | Ought Not to Pass report accepted               |
| LVWD                       | Leave to Withdraw report accepted               |
| INDEF PP                   | Bill Indefinitely Postponed                     |
| DIED BETWEEN BODIES        | House & Senate disagree; bill died              |
| VETO SUSTAINED             | Legislature failed to override Governor's Veto  |
| UNSIGNED                   | Not signed by Governor within 10 days           |
| DIED ON ADJOURNMENT        | Action incomplete when 1st session ended        |

These summaries were 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.

If you have any suggestions or comments on these summaries, please let us know.

- 1. The committee serves in an advisory capacity only and its name is changed to the Kennebec County Advisory Budget Committee.
- 2. The committee consists of 9 elected officials appointed by the county commissioners from a slate of elected officials proposed at a meeting of those elected officials and a subcommittee of 6 nonvoting members of the legislative delegation or their designees appointed by the delegation chair and ratified by the delegation.
- 3. The committee's authority to approve the final budget and approve any amendment to the final budget is deleted. The authority to grant final budget approval is returned to the Legislature.
- 4. The committee is given specific direction with regard to its organization and methods of operation.
- 5. The public hearing requirement is expanded to require at least 2 meetings, with at least one meeting held in each of the southern and northern parts of the county.

### LD 1707 An Act to Amend the Maine Uniform Accounting and Auditing PUBLIC 611 Practices Act for Community Agencies

| SPONSOR(S) | COMMITTEE REPORT | AMENDMENTS ADOPTED |
|------------|------------------|--------------------|
| MITCHELL E | OTP-AM           | H–498              |
| BUSTIN     |                  | S-452              |

#### SUMMARY

This bill defined exceptions to uniform criteria in the accounting and auditing practices for community agencies and required the Commissioner of Finance to ensure the consistency and uniformity of such exceptions. The bill also permitted independent public accountant compliance audits to satisfy the requirement that a single audit be performed.

Committee Amendment "A" specified that exceptions to the OMB circulars may not be allowed by the Commissioner of Finance except when a conflict exists between the circulars and state or federal law. The amendment required that the commissioner make an annual report on the effects of this policy to the Joint Standing Committee on State and Local Government and added a fiscal note to the bill.

Senate Amendment "A" allowed interest on short-term borrowing as an allowable expense under OMB Circular A-122.

| LD 1715 | An Act to Establish State Selective Purchasing Standards | UNSIGNED |
|---------|--|----------|
|---------|--|----------|

| SPONSOR(S) | COMMITTEE REPORT |     | SOR(S) COMMITTEE REPORT AMENDMENTS ADOP |           | DMENTS ADOPTED |
|------------|------------------|-----|---|-----------|----------------|
| ADAMS      | ONTP             | MAJ | S-423                                   | BRANNIGAN |                |
| PEARSON    | OTP-AM           | MIN |   |           |                |

#### SUMMARY

This bill prohibited all state departments, agencies, authorities and institutions from purchasing goods or entering into contracts with any person or organization that operates within the borders of, as an agent of or with the sanction of the Republic of South Africa. A few exceptions for medical, charitable, religious and essential materials were permitted. The State Purchasing Agent was required to obtain, maintain, update and distribute lists of persons and organizations from whom purchases were restricted and a separate list of those persons and organizations from whom purchases were preferred. The State Purchasing Agent was also required to notify potential bidders of this prohibition and to obtain from the bidders authorized statements detailing the extent of their involvement with the Republic of South Africa prior to completing any contract.

Committee Amendment "A" added an appropriation section and a fiscal note to the bill.

Senate Amendment "B" removed the definition of "comparable low bid or offer" and deleted the requirement that the State Purchasing Agent update the list of companies doing business with the Republic of South Africa every 3 months. This amendment added a definition of "distribution agreement" and expanded the definition of "doing business with the Republic of South Africa." It also clarified the prohibition on state purchases from companies doing business in the Republic of South Africa, but exempted companies that adhere to or are signatories to the Sullivan Principles.

### LD 1724 RESOLUTION, Proposing an Amendment to the Constitution of ONTP-REP A Maine to Undedicate Highway Revenues

| SPONSOR(S) | COMMITT | TEE REPORT | AMENDMENTS ADOPTED |
|------------|---------|------------|--------------------|
| TREAT      | ONTP    | Α          |                    |
| MCKEEN     | OTP-AM  | В          |                    |
| MARTIN J   | OTP-AM  | С          |                    |
| SIMONDS    |         |            |                    |

#### **SUMMARY**

This resolution proposed a referendum to amend the Constitution of Maine by repealing the provision requiring that revenues derived from fees and taxes related to the registration, operation and use of vehicles on public highways be spent for highway purposes. The resolution would have permitted those funds to be used for other governmental purposes.

| LD 1736 | An Act to Authorize Municipal Guarantees of Council of | PUBLIC 512 |
|---------|--|------------|
|         | Government Obligations                                 | EMERGENCY  |
|         |  |            |

| SPONSOR(S) | COMMITTEE REPORT | AMENI | DMENTS ADOPTED |
|------------|------------------|-------|----------------|
| CLARK N    | OTP-AM           | S–269 |                |
| RICH       |                  | S-340 | BERUBE         |

#### SUMMARY

This bill amended existing law to allow municipalities to guarantee loans to councils of government and regional planning councils if a municipality's legislative body authorizes such a guarantee.

The emergency preamble of the bill appeared to authorize both the councils of government and regional planning councils to seek loan guarantees from individual municipalities. Committee Amendment "A" clarified that only councils of government were authorized to seek municipal guarantees.

Senate Amendment "A" limited the municipal guarantee authority created by the bill to the Greater Portland Council of Governments.