

MAINE STATE LEGISLATURE

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STATE OF MAINE
116TH LEGISLATURE

SECOND REGULAR SESSION

BILL SUMMARIES
JOINT STANDING COMMITTEE
ON
STATE AND LOCAL GOVERNMENT

MAY 1994

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**ONE HUNDRED AND SIXTEENTH LEGISLATURE
SECOND REGULAR SESSION**

**JOINT STANDING COMMITTEE
BILL SUMMARIES**

MAY 1994

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.

The committee report or reports, the prime sponsor for each bill and the lead co-sponsor in each house if one has been designated are listed below each bill title. All adopted amendments are listed, by paper number, 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

P&S XXX

RESOLVE XXX

CON RES XXX

EMERGENCY

ONTP

INDEF PP

FAILED ENACTMENT

FAILED EMERGENCY ENACTMENT

FAILED MANDATE ENACTMENT

DIED BETWEEN BODIES

CONF CMTE UNABLE TO AGREE

VETO SUSTAINED

UNSIGNED

DIED ON ADJOURNMENT

Chapter # of enacted Public Law

Chapter # of enacted Private & Special Law

Chapter # of enacted Resolve

Chapter # of Constitutional Resolution passed by both Houses

Enacted law takes effect sooner than 90 days

Ought Not to Pass report accepted

Bill Indefinitely Postponed

Bill failed to get majority vote

Emergency bill failed to get 2/3 vote

Bill imposing local mandate failed to get 2/3 vote

House & Senate disagree; bill died

Committee of Conference unable to agree; bill died

Legislature failed to override Governor's Veto

Not signed by Governor within 10 days

Action incomplete when session ended; bill died

These summaries were prepared by the analyst or analysts assigned to the committee. If you have any suggestions or comments on the summaries, please let us know.

5581LHS

LD 1425 **An Act to Separate Little Diamond Island in Casco Bay from the City of Portland and to Create the Little Diamond Island Village Corporation as Part of the Town of Long Island** **ONTP**

SPONSOR(S) CONLEY	COMMITTEE REPORT ONTP	AMENDMENTS ADOPTED
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SUMMARY

Subject to referenda, this bill authorizes the separation of Little Diamond Island from the City of Portland and allows the creation of the Little Diamond Island Village Corporation in the Town of Long Island. See LD 1408.

LD 1429 **Resolve, to Establish a Commission to Study the Size of the Legislature** **ONTP**

SPONSOR(S) JOSEPH	COMMITTEE REPORT ONTP	AMENDMENTS ADOPTED
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SUMMARY

This resolve creates a Commission to Study the Size of the Legislature. The commission shall submit its report and any implementing legislation to the Second Regular Session of the 116th Legislature.

LD 1448 **An Act to Separate Peaks Island and Certain Other Islands in Casco Bay from the City of Portland** **ONTP**

SPONSOR(S) ADAMS	COMMITTEE REPORT OTP-AM MAJ ONTP MIN	AMENDMENTS ADOPTED
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SUMMARY

Part A of this bill authorizes the incorporation of the Town of Peaks Island if the legal residents of Peaks Island, House Island and Pumpkin Knob in Casco Bay approve, by referendum, separation from the City of Portland and incorporation as a separate town.

Part B of this bill requires the parties to negotiate matters of duties and responsibilities in advance of the referendum election. If the parties fail to agree, the matters are subject to binding arbitration.

LD 1472 **An Act to Reorganize State Government** **ONTP**

SPONSOR(S) CARROLL	COMMITTEE REPORT ONTP	AMENDMENTS ADOPTED
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SUMMARY

Part A of the bill creates a new Department of Fisheries and Wildlife by combining the Department of Marine Resources and the Department of Inland Fisheries and Wildlife. The new department will have 3 divisions: fisheries, wildlife and enforcement.

Part B of the bill creates a new Department of Natural Resources by combining the Department of Agriculture, Food and Rural Resources, the Department of Conservation, the Department of Environmental

Protection and all programs administered by the State Planning Office related to natural resource planning and management. The department will be organized into 4 bureaus: the Office of the Commissioner, the Bureau of Enforcement, the Bureau of Production and the Bureau of Preservation.

Part C of the bill merges the Department of Public Safety and the Department of Defense and Veterans' Services into a new Department of Public Safety and the Department of Veterans' Affairs.

Part D of the bill eliminates the Maine Solid Waste Management Agency. Its functions are reallocated to the Department of Environmental Protection, except for waste reduction and recycling which are transferred to Department of Economic and Community Development.

Part E of the bill eliminates the drug education functions in the Department of Education and places them in the Office of Substance Abuse.

Part F of the bill restructures the Maine Drug Enforcement Agency and makes it a division of the State Police.

**LD 1494 An Act to Require the Utilization of an Owner's
Representative on State Government Construction Contracts**

PUBLIC 606

SPONSOR(S)
CAMPBELL

COMMITTEE REPORT
OTP-AM

AMENDMENTS ADOPTED
H-871

SUMMARY

This bill requires state agencies and school districts to employ an owner's representative to facilitate the smooth completion of public works projects. Local units of government are also required to employ an owner's representative if the State is providing more than 50% of the funding for a project. The owner's representative is charged with working with the owner, architect, engineer and general contractor in a cooperative manner to avoid unnecessary problems and to resolve problems that occur in a nonadversarial manner.

COMMITTEE AMENDMENT "A" (H-871) replaces the original bill. The amendment adds a provision for the clerk-of-the-works to be approved by the Director of the Bureau of General Services. The amendment provides school units with the option of hiring an owner's representative, provided that the school unit pays for 50% of the costs of the representative. The amendment requires each participating school unit to provide a report on the effectiveness of the owner's representative and requires the Bureau of General Services to report annually to the joint standing committee of the Legislature having jurisdiction over state and local government matters. The amendment also adds a sunset provision to the Maine Revised Statutes, Title 5, section 1753. The amendment also adds a fiscal note to the bill.