

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

MEMBERS:

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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).

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 331

An Act to Implement the Recommendations of the Commission to Study Poverty Among Working Parents with Regard to a Living Wage in State Subcontracted Work

ONTP

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

LD 331 proposed to require that state contracts and subcontracts for personal services ensure that the rate of pay under those contracts and subcontracts was at least \$11.54 per hour in direct compensation plus indirect compensation in the form of health and retirement benefits. The Bureau of Human Resources would have adopted rules to implement this provision.

LD 344

An Act to Amend the Report Criteria for a Municipality's Annual Postaudit

PUBLIC 142

<u>Sponsor(s)</u>	<u>Committee Report</u>	<u>Amendments Adopted</u>
BRAGDON MURRAY	OTP-AM	H-159

LD 344 proposed to amend the criteria for an annual postaudit report that a municipality must submit to the Department of Audit.

Committee Amendment "A" (H-159) replaced the original bill and proposed to clarify several items required for the postaudit report that a municipality must submit to the Department of Audit

Enacted law summary

Public Law 1997, chapter 142 amends the criteria for an annual postaudit report that a municipality must submit to the Department of Audit. The criteria have been updated to reflect current standards and terminology for audits.

LD 349

An Act to Modify the Prequalification Laws to Allow the Disqualification of Contractors for a Time Not to Exceed One Year

PUBLIC 295

<u>Sponsor(s)</u>	<u>Committee Report</u>	<u>Amendments Adopted</u>
BUMPS	OTP-AM MAJ ONTP MIN	H-343

LD 349 proposed to allow the Director of the Bureau of Public Improvements to disqualify a general contractor from bidding on public improvement projects for a period not to exceed one year. Current law allows the director to disqualify a general contractor on a project-specific basis only.

Committee Amendment "A" (H-343) replaced the bill. The amendment proposed to clarify that a firm may be required to use a standard qualification form and provide a letter from a bonding company attesting to the financial capacity of the firm. The amendment also inserted the phrase "there is evidence" as it relates to the refusal of the Director of General Services to release plans and specifications to the contractor. The amendment also included the language from the original bill, which allows the Director of General Services to disqualify a general contractor for a period not to exceed one year, as opposed to current law that requires a denial on a project-by-project basis.

Enacted law summary

Public Law 1997, chapter 295 allows the Director of the Bureau of General Services to disqualify a general contractor for a period not to exceed one year if there is evidence of untimely completion, incomplete work or misconduct on the part of the contractor. Public Law 295 also requires the use of a standard qualification statement and a letter from a licensed bonding company confirming that a firm has the financial capacity to perform the work.

**LD 354 RESOLUTION, Proposing an Amendment to the Constitution of DIED BETWEEN
Maine to Provide for the Direct Popular Election of Constitutional BODIES
Officers**

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

LD 354 would have proposed an amendment to the Constitution of Maine to provide for direct popular election of the State's constitutional officers.

Committee Amendment "A" (H-137) would have deleted sections of the resolution proposing direct popular election of the Secretary of State and the Treasurer of State, leaving only direct popular election of the Attorney General.

LD 361 An Act to Encourage Regionalization of Municipal Services CARRIED OVER

<u>Sponsor(s)</u>	<u>Committee Report</u>	<u>Amendments Adopted</u>
GAGNON CAREY		

LD 361 proposes to create a grant program to assist municipalities in planning for regional service delivery to improve the quality or efficiency of municipal services. The grants are to be directed at communities described as "service center communities" in a 1996 report of the State Planning Office and are to be coordinated with other grant and assistance programs of the State Planning Office. The bill proposes to appropriate \$100,000 from the General Fund to provide the grants. This bill has been carried over to the Second Regular Session.