

# MAINE STATE LEGISLATURE

The following document is provided by the  
**LAW AND LEGISLATIVE DIGITAL LIBRARY**  
at the Maine State Law and Legislative Reference Library  
<http://legislature.maine.gov/lawlib>



Reproduced from electronic originals  
(may include minor formatting differences from printed original)

**STATE OF MAINE  
119TH LEGISLATURE**

**SECOND REGULAR SESSION**

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

**JULY 2000**

***MEMBERS:***

***Sen. Peggy A. Pendleton, Chair***

***Sen. Jill M. Goldthwait***

***Sen. Paul T. Davis***

***Rep. Douglas J. Ahearne, Chair***

***Rep. Martha A. Bagley***

***Rep. Benjamin L. Rines, Jr.***

***Rep. John F. McDonough***

***Rep. Joanne T. Twomey***

***Rep. Randall L. Bumps***

***Rep. Susan Kasprzak***

***Rep. Arlan R. Jodrey***

***Rep. Earl E. Richardson***

***Rep. Belinda A. Gerry***

***Rep. Donald G. Soctomah***

***Staff:***

***Christopher Spruce, Legislative Analyst***

***Danielle D. Fox, Legislative Analyst***

***Office of Policy and Legal Analysis***

***13 State House Station***

***Augusta, ME 04333***

***(207)287-1670***



**Maine State Legislature**  
**OFFICE OF POLICY AND LEGAL ANALYSIS**

13 State House Station, Augusta, Maine 04333-0013  
 Telephone: (207) 287-1670  
 Fax: (207) 287-1275

**ONE HUNDRED NINETEENTH LEGISLATURE**  
**SECOND REGULAR SESSION**

**Summary Of Legislation Before The Joint Standing Committees**  
**July 2000**

We are pleased to provide this summary of bills that were considered by the Joint Standing and Select Committees of the Maine Legislature this past session. The document is a compilation of bill summaries which describe each bill and relevant amendments, as well as the final action taken. Also included are statistical summaries of bill activity this session for the Legislature and each of its joint standing and select committees.

The document is organized for convenient reference to information on bills considered by the committees. It is organized 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](http://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:

|   |  |
|---|--|
| <i>CON RES XXX</i> .....                              | <i>Chapter # of Constitutional Resolution passed by both Houses</i>            |
| <i>CONF CMTE UNABLE TO AGREE</i> .....                | <i>Committee of Conference unable to agree; bill died</i>                      |
| <i>DIED BETWEEN BODIES</i> .....                      | <i>House &amp; Senate disagree; bill died</i>                                  |
| <i>DIED IN CONCURRENCE</i> .....                      | <i>One body accepts ONTP report; the other indefinitely postpones the bill</i> |
| <i>DIED ON ADJOURNMENT</i> .....                      | <i>Action incomplete when session ended; bill died</i>                         |
| <i>EMERGENCY</i> .....                                | <i>Enacted law takes effect sooner than 90 days</i>                            |
| <i>FAILED EMERGENCY ENACTMENT/FINAL PASSAGE</i> ..... | <i>Emergency bill failed to get 2/3 vote</i>                                   |
| <i>FAILED ENACTMENT/FINAL PASSAGE</i> .....           | <i>Bill failed to get majority vote</i>  |
| <i>FAILED MANDATE ENACTMENT</i> .....                 | <i>Bill imposing local mandate failed to get 2/3 vote</i>                      |
| <i>NOT PROPERLY BEFORE THE BODY</i> .....             | <i>Ruled out of order by the presiding officers; bill died</i>                 |
| <i>INDEF PP</i> .....                                 | <i>Bill Indefinitely Postponed</i>   |
| <i>ONTP</i> .....                                     | <i>Ought Not To Pass report accepted</i>                                       |
| <i>OTP ND</i> .....                                   | <i>Committee report Ought To Pass In New Draft</i>                             |
| <i>OTP ND/NT</i> .....                                | <i>Committee report Ought To Pass In New Draft/New Title</i>                   |
| <i>P&amp;S XXX</i> .....                              | <i>Chapter # of enacted Private &amp; Special Law</i>                          |
| <i>PUBLIC XXX</i> .....                               | <i>Chapter # of enacted Public Law</i>   |
| <i>RESOLVE XXX</i> .....                              | <i>Chapter # of finally passed Resolve</i>                                     |
| <i>UNSIGNED</i> .....                                 | <i>Bill held by Governor</i>   |
| <i>VETO SUSTAINED</i> .....                           | <i>Legislature failed to override Governor's Veto</i>                          |

Please note the effective date for all non-emergency legislation enacted in the Second Regular Session (unless otherwise specified in a particular law) is August 11, 2000.

*David E. Boulter, Director*  
 Offices Located in the State House, Rooms 101 & 107

**Committee Amendment "A" (S-555)**, which was not adopted, was the minority report. It proposed to make several changes to the original bill. Among other things, the amendment proposed to change the title of the bill and to strike from the bill any reference to state-owned public improvement projects. The amendment proposed to retain the bill's application to school construction projects in excess of \$1,000,000. It also proposed to add new definitions to section 2 of the bill and to further define how contract line items were to be divided in calculating retainage. The amendment also proposed to change the application date of the bill to January 1, 2001.

**LD 533**

**An Act Concerning State Government Competition with Private Enterprise**

**PUBLIC 566**

| <u>Sponsor(s)</u> | <u>Committee Report</u> | <u>Amendments Adopted</u> |
|-------------------|-------------------------|---------------------------|
| MITCHELL B        | OTP-AM A                | H-824 AHEARNE             |
| CIANCHETTE        | OTP-AM B                | S-478                     |
|                   | ONTP C                  |                           |

LD 533 proposed to prohibit the State from providing services for fees or undertaking enterprises that would compete with private industry. It was introduced in the First Regular Session of the 119<sup>th</sup> Legislature, but was carried over the Second Regular Session.

**Committee Amendment "A" (S-478)**, was the majority report. It proposed to establish a 9-member advisory committee to handle complaints and issues regarding potentially unfair competition practices by the State with private enterprise. The amendment directed the advisory committee to meet at least once a year and to submit an annual report by January 15th of each year to the Governor and the joint standing committee of the Legislature having jurisdiction over state and local government matters.

**Committee Amendment "B" (S-479)**, which was not adopted, was the minority report. It proposed to establish a 9-member advisory committee to handle complaints and issues regarding potentially unfair competition practices by the State with private enterprise. The amendment also directed the advisory committee to meet at least once quarterly and to submit an annual report by January 15th of each year to the Governor and the joint standing committee of the Legislature having jurisdiction over state and local government matters. The amendment also proposed to require the Department of Administrative and Financial Services, which would provide staff services to the committee, to provide minutes of the committee's meetings to the joint standing committee of the Legislature having jurisdiction over state and local government matters.

**House Amendment "A" to Committee Amendment "A" (H-824)**, proposed to clarify the membership and initial terms of the advisory committee.

***Enacted law summary***

Public Law 1999, chapter 566 establishes a 9-member advisory committee to handle complaints and issues regarding potentially unfair competition practices by the State with private enterprise. The advisory committee is directed to meet at least once a year and to submit an annual report by January 15th of each year to the Governor and the joint standing committee of the Legislature having jurisdiction over state and local government matters.