

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**

FIRST REGULAR SESSION

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

JULY 1999

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

*Office of Policy and Legal Analysis
Room 101/107/135, 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
FIRST REGULAR SESSION

Summary Of Legislation Before The Joint Standing and Select Committees
August 1999

We are pleased to provide this summary of all 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).

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
ENACTMENT FAILED..... Bill failed to get vote required for enactment or final passage
NOT PROPERLY BEFORE THE BODY..... Ruled out of order by the presiding officers; bill died
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 September 18, 1999.

LD 852

Resolve, to Study Outdated, Contradictory and Unenforced Laws

CARRIED OVER

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

LD 852, which was carried over to the Second Regular Session, proposes to require the Commissioner of Labor and the Commissioner of Human Services to conduct a study of outdated, contradictory and unenforced laws and report to the Legislature by January 15, 2000.

LD 859

An Act to Require the State Planning Office to Report to the Committee on State and Local Government and the Committee on Natural Resources

PUBLIC 415

<u>Sponsor(s)</u>	<u>Committee Report</u>	<u>Amendments Adopted</u>
CLARK LIBBY	OTP-AM MAJ OTP-AM MIN	H-614 AHEARNE H-686 AHEARNE

LD 859 proposed to require that the State Planning Office be directly responsible to the Joint Standing Committee on State and Local Government instead of to the Governor. It proposed to change the appointment of the director of the State Planning Office to include consideration by the Committee on State and Local Government and confirmation by the Legislature. Under the provisions of this bill, reports by the State Planning Office would be presented annually to the Committee on State and Local Government and would include detailed information about money allocated to and spent by the office. This bill proposed to amend the scheduled date that the Committee on State and Local Government reviews the State Planning Office, moving the governmental evaluation review forward from the year 2005 to the year 2001.

Committee Amendment "A" (H-322), which was not adopted, was the majority report of the Joint Standing Committee on State and Local Government. The amendment proposed to amend the original bill by requiring that the Senate, rather than the entire Legislature, confirm the appointment of the Director of the State Planning Office. The amendment also proposed to retain the current requirement that the Governor fix the director's salary. It also proposed to remove a requirement from the original bill that the Director of the State Planning Office advise the Legislature on policy matters. The amendment also proposed to retain a requirement in current law that the director report annually to the Governor and to remove a requirement that the director report annually to the joint standing committee having jurisdiction over state and local government matters on allocations to an expenditures by the State Planning Office.

Committee Amendment "B" (H-323), which was not adopted, was the minority report of the Joint Standing Committee on State and Local Government. The amendment proposed to amend the original bill by removing a requirement from the original bill that the Governor's nominee for the Director of the State Planning Office be reviewed by the joint standing committee having jurisdiction over state and local government matters and confirmed by the Legislature. It also proposed to remove a requirement that the Director of the State Planning Office advise the Legislature on policy matters. The amendment also proposed to retain a requirement in current law that the director report annually to the Governor and to remove a requirement that the director report annually on the agency's monetary allocations and expenditures to the joint standing committee having jurisdiction over state and local government matters.

House Amendment "A" (H-496), which was not adopted, was presented on behalf of the Committee on Bills in the Second Reading to correct a conflict created by Public Law 1999, chapter 127, Part C, section 14.

House Amendment "A" to Committee Amendment "A" (H-505), which was not adopted, proposed to require the State Planning Office to make annual reports to the joint standing committee having jurisdiction over natural resource matters regarding the activities of the office involving land issues.

House Amendment "B" (H-614) proposed to incorporate the substance of Committee Amendment "B," House Amendment "A" to Committee Amendment "A" and House Amendment "A," and proposed to do the following:

1. Remove a requirement from the original bill that the Governor's nominee for the Director of the State Planning Office be reviewed by the joint standing committee having jurisdiction over state and local government matters and be confirmed by the Legislature;
2. Remove a requirement that the Director of the State Planning Office advise the Legislature on policy matters;
3. Retain a requirement in current law that the director report annually to the Governor and remove a requirement that the director report annually on the agency's monetary allocations and expenditures to the joint standing committee having jurisdiction over state and local government matters;
4. Require the State Planning Office to make annual reports to the joint standing committee having jurisdiction over natural resources matters regarding the activities of the office involving land issues; and
5. Correct a conflict created by Public Law 1999, chapter 127, Part C, section 14.

House Amendment "C" (H-686) proposed to remove the preamble required on bills relating to certain confirmation procedures, as those portions of the bill were removed by House Amendment "B" (H-614).

Enacted law summary

Public Law 1999, chapter 415 amends current law to move ahead by four years the scheduled Government Evaluation Act review of the State Planning Office. The joint standing committee of the Legislature having jurisdiction over state and local government matters will review the State Planning Office beginning in 2001 rather than in 2005. The law also amends current law to require that the State Planning Office report at least annually on its activities to the State and Local Government Committee. Public Law 1999, chapter 415 also requires that the State Planning Office make reports annually to the joint standing committee of the legislature having jurisdiction over natural resource matters detailing the activities of the office that relate to land use issues.

LD 891 An Act to Establish Thresholds for Delegated Purchasing Authorities and Requirements for Competitive Bidding PUBLIC 105

<u>Sponsor(s)</u> AHEARNE KILKELLY	<u>Committee Report</u> OTP-AM	<u>Amendments Adopted</u> H-187
--	-----------------------------------	------------------------------------

LD 891 proposed three changes to the current State procurement laws. The first increased the dollar threshold for waiver of competitive bidding from \$1,000 to \$2,500. This change would allow state agencies to have a higher direct or delegated purchasing authority.

The second change proposed to increase the threshold level for the use of oral proposals or invitations to bid from \$2,500 to \$10,000.