

MAINE STATE LEGISLATURE

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**STATE OF MAINE
119TH LEGISLATURE**

FIRST REGULAR SESSION

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

JULY 1999

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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.

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>	<u>Committee Report</u>	<u>Amendments Adopted</u>
AHEARNE KILKELLY	OTP-AM	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.

The third change would allow the procurement of goods or services totaling up to \$10,000 from a single source when the purchases can be demonstrated as the most economical, effective and appropriate means of fulfilling a demonstrated need. The current ceiling is \$5,000.

This bill was submitted on behalf of the Department of Administration and Financial Services.

Committee Amendment "A" (H-187) proposed technical changes to the bill to make clear the authority of the Bureau of General Services.

Enacted law summary

Public Law 1999, chapter 105 makes three changes to the current State procurement laws. The dollar threshold for waiver of competitive bidding for purchases made on behalf of county commissioners is increased from \$1,000 to \$2,500.

The second change increases the threshold for the use of oral proposals or bids from \$2,500 to \$10,000.

The third change allows the procurement of goods or services totaling up to \$10,000 from a single source. Previously, the threshold was \$5,000.

LD 893

An Act to Amend the Laws Relating to Notaries Public

PUBLIC 425

<u>Sponsor(s)</u>	<u>Committee Report</u>	<u>Amendments Adopted</u>
BAGLEY	OTP-AM MAJ	H-411
PENDLETON	OTP-AM MIN	H-662 AHEARNE

LD 893 proposed to clarify that a spouse's relationship with a sibling is considered a conflict of interest for notarial purposes. The bill also proposed to clarify that notaries public should not perform any notarial act, including a wedding ceremony, for an immediate family member. The bill also proposed to require notaries to maintain records of all notarial acts performed. The bill added an application clause for notaries commissioned before the effective date of this bill.

This bill was submitted on behalf of the Secretary of State.

Committee Amendment "A" (H-411) was the majority report of the Joint Standing Committee on State and Local Government. This amendment proposed to add a spouse's child or a spouse's sibling to the conflict of interest provisions of the laws governing notaries public. It also would allow a notary public to solemnize the marriage of a spouse's sibling or spouse's child and would remove the requirement that the solemnizing of a marriage by a notary public of an immediate family member be witnessed by another notary public unrelated by marriage or blood to the parties. This amendment also proposed to remove an expired grandfather clause and grandfathers documents notarized for a notary public's spouse's child or spouse's sibling.

Committee Amendment "B" (H-412), which was not adopted, was the minority report of the Joint Standing Committee on State and Local Government. This amendment proposed to add a spouse's child to the conflict of interest provisions of the laws governing notaries public. It also proposed to remove the requirement that another notary public witness a marriage performed by a notary public for that notary public's spouse's child or spouse's sibling. The amendment also proposed to remove an expired grandfather clause and grandfathers documents notarized for a notary public's spouse's child or spouse's sibling. This amendment also proposed record-keeping requirements for notaries and proposed to require the Secretary of State to send notice of these requirements to each notary public with an active commission. The amendment also proposed to add an appropriation section to the bill.