

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.

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.

House Amendment "A" to Committee Amendment "A" (H-662) proposed to removed the requirement that notaries maintain records of all notarial acts performed. This amendment also proposed to remove that portion of the application section that relates to the requirement to keep such records.

Senate Amendment "A" (S-314), which was not adopted, proposed to exempt notarized absentee ballots from the requirement that a notary public keep records of all notarial acts performed.

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

Enacted law summary

Public Law 1999, chapter 425 adds a spouse's sibling and spouse's child to the conflict of interest provisions of the laws governing notaries public. It also removes the requirement that another unrelated notary public witness a marriage performed by a notary public for that notary's immediate family members. It also allows a notary public to solemnize the marriage of a spouse's child or spouse's sibling. The law also grandfathers documents notarized for a notary's spouse's child or spouse's sibling if performed before the effective date of the law. The law also repeals MRSA Title 4, section 959, a grandfather clause that exempted notaries commissioned before November 1, 1991 from the requirement to keep a seal and to maintain records.

LD 900

An Act to Reestablish the Municipal Boundary between Pownal and Durham

P & S 9

Sponsor(s)
BULL
KONTOS

Committee Report
OTP

Amendments Adopted

LD 900 proposed to define and describe with greater clarity the location of the boundary line between the towns of Durham and Pownal. The boundary lines specified in the bill would bring the boundary between the two towns into conformance with the boundary as it was originally established. The town lines were resurveyed as part of the 10-year perambulation of town boundary lines required under 30-A MRSA §2851.

Enacted law summary

Private and Special 1999, chapter 9 clarifies the boundary line between the towns of Durham in Androscoggin County and Pownal in Cumberland County.