

MAINE STATE LEGISLATURE

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*State Of Maine
120th Legislature*

Second Regular Session

Bill Summaries

*Joint Standing Committee
on
State and Local Government*

May 2002

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Maine State Legislature
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120th Legislature
Second Regular Session

Summary Of Legislation Before The Joint Standing Committees
May 2002

Enclosed please find a summary of all bills, resolves, joint study orders, joint resolutions and Constitutional resolutions that were considered by the joint standing select committees of the Maine Legislature this past session.

The document is organized for convenient reference to information on bills considered by the committees. It is arranged alphabetically by committee name and within committees by bill (LD) number.

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:

- 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
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
PASSED..... Joint Order passed in both bodies
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 Second Regular Session (unless otherwise specified in a particular law) is July 25, 2002.

Patrick T. Norton, Interim Director
Offices located in Room 215 of the Cross Office Building

Joint Standing Committee on State and Local Government

Committee Amendment "A" (S-432) proposed to add the International Code Council to the statutory list of organizations whose code may be adopted by the Department of Administrative and Financial Services, Bureau of General Services for application to public improvement construction projects under the bill. The amendment also proposed to clarify that when the bureau makes a determination that only part of a national or international code applies in this State, that determination applies to all public improvement projects covered by that code. The amendment also proposed to add a fiscal note to the bill.

Enacted law summary

Public Law 2001, chapter 607 allows the Department of Administrative and Financial Services, Bureau of General Services to adopt the most recent version of specified national or international building codes to be used in the design of public improvements construction projects in this State. The law also gives the bureau discretion to adopt specified portions of those building codes when only part of the codes are applicable to public improvement projects in Maine.

LD 1875

An Act to Waive the Competitive Bid Requirement for Lease of Certain Unused State Facilities

PUBLIC 525

<u>Sponsor(s)</u>	<u>Committee Report</u>	<u>Amendments Adopted</u>
PENDLETON	OTP-AM MAJ	S-431
MCDONOUGH	ONTP MIN	

LD 1875 proposed to allow the Director of the Bureau of General Services within the Department of Administrative and Financial Services to lease a state-owned facility without soliciting competitive bids if 50% or less or 2,500 feet or less of the facility is unused. The current restriction that the lessee be compatible with the agency in the facility would continue to apply. The bill also proposed to correct the name of the Bureau of General Services in statute.

Committee Amendment "A" (S-431) proposed to modify the bill so that, for a facility 5,000 square feet or smaller, the State may lease up to 2,500 square feet of unused space without competitive bidding, including the whole facility if the whole facility is 2,500 square feet or less in size. For a facility between 5,000 and 40,000 square feet, the amendment proposed that the State could lease up to 50% of the facility without competitive bidding if the space is unused. For facilities over 40,000 square feet, the State would be limited to leasing 20,000 square feet of space per facility regardless of how much is unused as proposed in the amendment. The amendment also proposed to add a fiscal note to the bill.

Enacted law summary

Public Law 2001, chapter 525 allows the Director of the Bureau of General Services within the Department of Administrative and Financial Services to lease a state-owned facility without soliciting competitive bids in certain circumstances. Chapter 525 provides that, for a facility of 5,000 square feet or smaller, the State may lease up to 2,500 square feet of unused space without competitive bidding, including the whole facility if the facility is less than 2,500 square feet in size. For a facility between 5,000 and 40,000 square feet, the State may lease up to 50% of the facility without competitive bidding if the space is unused. For facilities over 40,000 square feet, the State is limited to leasing 20,000 square feet of space per facility without competitive bidding regardless of how much is unused. The current restriction that the work performed by the lessee must be compatible with that of the agency in the facility continues to apply.