

MAINE STATE LEGISLATURE

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STATE OF MAINE
127TH LEGISLATURE
SECOND REGULAR SESSION



Summaries of bills, adopted amendments and laws enacted or finally passed

JOINT STANDING COMMITTEE ON STATE AND
LOCAL GOVERNMENT

May 2016

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STATE OF MAINE

127TH LEGISLATURE

SECOND REGULAR SESSION



LEGISLATIVE DIGEST OF BILL SUMMARIES AND ENACTED LAWS

This *Legislative Digest of Bill Summaries and Enacted Laws* contains summaries of all LDs and adopted amendments and all laws enacted or finally passed during the Second Regular Session of the 127th Maine Legislature.

The *Digest* is arranged alphabetically by committee and within each committee by Legislative Document (LD) number. The committee report(s), prime sponsor and lead co-sponsor(s), if designated, are listed below each LD title. All adopted amendments are summarized and listed by paper number. A subject index is included with each committee. An appendix provides a summary of relevant session statistics.

Final action on each LD is noted to the right of the LD title. The following describes the various final actions.

CARRIED OVER..... carried over to a subsequent session of the Legislature
CON RES XXX..... chapter # of constitutional resolution passed by both houses
CONF CMTE UNABLE TO AGREE..... Committee of Conference unable to agree; legislation died
DIED BETWEEN HOUSES..... House & Senate disagreed; legislation died
DIED IN CONCURRENCE..... defeated in each house, but on different motions; legislation died
DIED ON ADJOURNMENT..... action incomplete when session ended; legislation died
EMERGENCY..... enacted law takes effect sooner than 90 days after session adjournment
FAILED, EMERGENCY ENACTMENT or PASSAGE..... emergency failed to receive required 2/3 vote
FAILED, ENACTMENT or FINAL PASSAGE..... failed to receive final majority vote
FAILED, MANDATE ENACTMENT..... legislation proposing local mandate failed required 2/3 vote
HELD BY GOVERNOR..... Governor has not signed; final disposition to be determined at subsequent session
LEAVE TO WITHDRAW..... sponsor's request to withdraw legislation granted
NOT PROPERLY BEFORE THE BODY..... ruled out of order by the presiding officer; legislation died
INDEF PP..... indefinitely postponed; legislation died
ONTP, ACCEPTED, MAJORITY, MINORITY or REPORT X... ought-not-to-pass report accepted; legislation died
P&S XXX..... chapter # of enacted private & special law
PUBLIC XXX..... chapter # of enacted public law
RESOLVE XXX..... chapter # of finally passed resolve
VETO SUSTAINED..... Legislature failed to override Governor's veto

The effective date for non-emergency legislation enacted in the First Regular Session of the 127th Legislature is July 29, 2016. The effective date for legislation enacted as an emergency measure may be found in the enacted law summary for that legislation.

Joint Standing Committee on State and Local Government

begins on October 1, 2017.

This amendment was not adopted.

LD 1298

An Act Relating to the Creation of Public-private Facilities and Infrastructure

Died Between Houses

<u>Sponsor(s)</u>	<u>Committee Report</u>	<u>Amendments Adopted</u>
WARD K	ONTP OTP-AM	

This bill was carried over from the First Regular Session of the 127th Legislature.

This bill authorizes and establishes a framework for governmental entities to enter into agreements with private entities and persons to develop or operate qualifying projects, including, but not limited to, ferries, mass transit facilities, vehicle parking facilities, port facilities, power generation facilities, fuel supply facilities, oil or gas pipelines, water supply facilities, public works facilities, waste treatment facilities, hospitals, schools, medical facilities, nursing care facilities and recreational facilities.

Committee Amendment "A" (H-575)

This amendment is the minority report and strikes and replaces the bill. It changes the title and amends Maine's procurement laws instead of, as in the bill, establishing a framework for governmental entities to enter into agreements with private entities and persons to develop or operate qualifying projects.

This amendment expands what can be purchased cooperatively by the State for other public entities. It adds "goods" and "commodities" to the list of terms under the scope of the purchasing authority of the Department of Administrative and Financial Services, Bureau of General Services. It replaces the term "services" with "labor, time or effort" by a contractor or vendor and removes the definition of "services." It provides that the Director of the Bureau of General Services may enter into or participate in multistate agreements when it is in the best interests of the State. The director may also enter into or participate in competitively awarded agreements from the United States Government, other state and local governments or other public entities when the competitive process is similar to the State's.

The amendment updates language regarding reasons for which a waiver of competition can be granted by the bureau. The language provides consistency and updates current practices to better reflect current markets, including the addition of natural gas and electricity. It also increases from \$10,000 or less to \$25,000 or less the amount of expenditures under which the director may waive competitive bidding if procurement from a single source is the most economical, effective and appropriate.

The amendment expands what the bureau must consider when determining the best-value bidder for any goods or services to be consistent with competitive bidding documents. It clarifies how to remedy tie bids.

The amendment provides that rules of the State Purchasing Agent that govern the procedure for reviewing competitive bids include the requirement that written records of the evaluation of bids be kept.

This amendment was not adopted.