

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
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

MEMBERS:

SEN. RODNEY L. WHITTEMORE, CHAIR*
SEN. DAVID C. WOODSOME*
SEN. MICHAEL J. WILLETTE
SEN. NATHAN L. LIBBY

REP. ROLAND DANNY MARTIN, CHAIR
REP. MARK E. BRYANT
REP. CHRISTOPHER W. BABBIDGE
REP. DONNA R. DOORE
REP. PINNY BEEBE-CENTER*
REP. CATHERINE M. NADEAU*
REP. RANDALL ADAM GREENWOOD
REP. RICHARD A. PICKETT
REP. MATTHEW A. HARRINGTON*
REP. LESTER S. ORDWAY*
REP. WILLIAM R. TUELL*
REP. BETH P. TURNER*
REP. JEFFREY EVANGELOS

STAFF:

ALYSON MAYO, LEGISLATIVE ANALYST
OFFICE OF POLICY AND LEGAL ANALYSIS
13 STATE HOUSE STATION
AUGUSTA, ME 04333
(207) 287-1670
<http://legislature.maine.gov/legis/opla/>

* Committee member for a portion of the session

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

manufactured good or has intentionally violated any provision of this legislation, the department must, after a hearing, debar that person, business or other entity from contracts or subcontracts with the State for two years.

The bill gives preference in the awarding of contracts to businesses located in the State.

The bill provides that the provisions of this legislation must be applied in a manner consistent with the State's obligations under any applicable international agreements pertaining to government procurement.

Committee Amendment "A" (S-459)

This amendment, which is the majority report of the committee, makes the following changes to the bill.

1. It changes the title of the bill.
2. It amends the bill to clarify that the law's application must be consistent with all applicable trade obligations and not only with the State's international trade obligations.
3. It amends the bill to include the University of Maine System, the Maine Community College System and the Maine Maritime Academy in the definition of "public agency."
4. It establishes the seven-member Procurement Review Board, which must review proposals, bids, contract renewals and amendments to, extensions of and changes to existing contracts valued over \$1,000,000 and, upon a majority vote of the board, may review proposals, bids, contract renewals and amendments to, extensions of and changes to existing contracts valued under \$1,000,000. The Attorney General and Treasurer of State serve as nonvoting members of the board.
5. It requires the Procurement Review Board to meet at least twice per month in person and make records and minutes of meetings accessible to the public.
6. It sets out requirements for sole source contracts under review by the board.
7. It requires each applicable state department and agency to notify the board and applicable legislative committee of jurisdiction within three months of determining that a contract has resulted in a cost overrun.
8. It adds an appropriations and allocations section.

This amendment was not adopted.

Committee Amendment "B" (S-460)

This amendment is the minority report of the committee and strikes and replaces the bill. It changes the title and requires the use of scoring criteria on service contracts expected to exceed \$100,000 and printing service contracts expected to exceed \$5,000 to evaluate a bidder's economic impact on Maine's economy and state revenues.

This amendment was not adopted.

LD 1560 An Act To Strengthen Intragovernment Communication

**Died On
Adjournment**

<u>Sponsor(s)</u>	<u>Committee Report</u>	<u>Amendments Adopted</u>
KATZ R POULIOT M	OTP ONTP	

Joint Standing Committee on State and Local Government

This bill requires the commissioner or director of a state agency, which includes executive branch departments and quasi-independent agencies, to appear before a joint standing committee of the Legislature or a study commission or work group formed by legislative action and to participate in the hearing and work sessions of that committee, commission or work group. The committee, commission or work group must request the attendance of the commissioner or director in writing and provide the date and time of the hearing or work session.

LD 1588 An Act To Require That Public Postsecondary Educational Institutions in the State Give Preference to Maine Producers When Entering into Contracts Related to Heating Fuel **Died Between Houses**

<u>Sponsor(s)</u>	<u>Committee Report</u>	<u>Amendments Adopted</u>
SAUCIER R CUSHING A	OTP-AM ONTP	

This bill requires the University of Maine System, the Maine Maritime Academy and the Maine Community College System, when entering into a contract for heating fuel, to give preference to companies producing that type of heating fuel in the State.

Committee Amendment "A" (H-564)

This committee amendment is the majority report. This amendment incorporates a fiscal note.

This amendment was not adopted.

LD 1600 An Act Regarding Consent to Land Transfers to the Federal Government **PUBLIC 458**

<u>Sponsor(s)</u>	<u>Committee Report</u>	<u>Amendments Adopted</u>
STANLEY S	ONTP OTP-AM	H-571

This bill amends the laws governing the consent that is given by the State to the Federal Government to acquire land to require that such an acquisition include a reverter clause to apply in the event the Federal Government attempts to designate such land a national monument.

Committee Amendment "A" (H-571)

This amendment is the minority report of the committee. It removes the requirement for a reverter clause in a deed and conveyance or title papers in the event that land is given by the State to the Federal Government and the Federal Government attempts to designate such land a national monument. It adds language specifying that, in the case of designation of property as a national monument, the consent of the Legislature is not given to the Federal Government for the acquisition of land.

Enacted Law Summary

Public Law 2015, chapter 458 specifies that, in the case of designation of property as a national monument, the consent of the Legislature is not given to the Federal Government for the acquisition of land.