

# MAINE STATE LEGISLATURE

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STATE OF MAINE  
ONE HUNDRED AND TWELFTH LEGISLATURE  
FIRST REGULAR SESSION

JOINT STANDING COMMITTEE ON  
STATE GOVERNMENT  
BILL SUMMARY



JULY, 1985

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ONE HUNDRED AND TWELFTH LEGISLATURE  
FIRST REGULAR SESSION

JOINT STANDING COMMITTEE  
BILL SUMMARIES  
JULY 1985

This document is a compilation of the bill summaries prepared by this office for the Joint Standing Committees of the Maine Legislature, covering the First Regular Session of the 112th Legislature. The summaries are arranged by LD number and indexed separately by committee.

4) Idaho                      8) New York                      12) Vermont

Of all the states, 4 states including Alabama, Louisiana, Maryland, and Mississippi have 4-year terms for their respective Houses of Representatives.

The philosophy that underlines a legislature with a state senate elected for a 4-year term and a House of Representatives elected for a 2-year term is that the two year term promotes and encourages the proposal of new ideas, innovative techniques, and a spirit of change in the political system. The four year term for the Senate provides a sense of continuity and stability in the legislative process.

Another issue that is involved in LD 1093 is the expense and time required to campaign for Senate seats.

According to the Bureau of Elections, exactly \$285,522.05 was spent by all candidates for election to the office of senator in the Maine Senate in the general election held in November, 1984. This figure represents expenditures by 52 candidates and suggests an average per candidate expenditure of \$5,490.80. The minimum was \$200 for one campaign and a maximum of \$10,047.16 for the most expensive campaign.

A four year Senate term, however, does not guarantee that campaign costs will be reduced. There are many factors involved to include, degree of competition for the seat, the ability to raise campaign funds, issues before the voters, etc.

Opponents to the bill primarily concentrated on providing representatives with the same 4 year term proposed for senators (See House Amendment "A", H-179) which was incorporated in a House amendment. Some persons also believe that Maine's democracy has benefited from 2 years terms for all legislators. Since the system has worked well, there is no need to change it, asserted opponents. A Conference Committee from both Houses could not agree to a compromise, and the bill died.

LD: 1098 AN ACT RELATED TO THE OBSERVANCE OF  
EMERGENCY MEMORIAL DAY

TELOW  
REEVES  
ALIBERTI  
ANDREWS

OTP                      HOUSE    Emerg. Enacted  
                          SENATE   Emerg. Enacted  
                          GOV      EMER SIGNED

PUBLIC  
CH # 114

SUMMARY:

LD 1098 which has been enacted, realligns the State's celebration of Memorial Day with federal celebration of the holiday. In 1975, the State Legislature enacted

legislation that established the celebration of Memorial Day in Maine on May 30 beginning in 1985. In the event that the federal government reverted to the former May 30 date prior to 1985, the State's celebration would occur at the same time.

LD 1098 also provided consistency among various branches and agencies of State Government with respect to the celebration of Memorial Day.

LD:	1117	AN ACT TO PROVIDE FOR LEGISLATIVE OVERSIGHT PRIOR TO THE IMPLEMENTATION OF DEPARTMENTAL RULES	LEBOWITZ GWADOSKY KIMBALL BROWN L
OTP-AM		HOUSE Enacted SENATE Enacted GOV SIGNED	PUBLIC CH # 270
H-196	CA		H S

SUMMARY:

LD 1117 in its original form proposed a procedure by which departmental and agency rules would be reviewed by the appropriate legislative committee prior to adoption of the rules. While the legislative committees would not be provided with veto power (unconstitutional-violates separation of powers, etc.), the committees would be provided with the opportunity to inform the departments/agencies of their views.

How does the procedure work?

Under the original bill, the department/agency proposing a rule for adoption would submit the proposed rule to the Legislative Administrative Director and provide:

- 1) the reasons for the rule
- 2) an analysis of the rule, and
- 3) the estimated fiscal impact of the rule.

The Legislative Administrative Director would submit the rule and other information to the appropriate Legislative committee.

The legislative committee would have 60 days to review the rule and respond. If the committee does not respond, the agency may assume that the committee has no criticisms of the rule.