

# MAINE STATE LEGISLATURE

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**STATE OF MAINE  
116TH LEGISLATURE**

**FIRST REGULAR SESSION**

**BILL SUMMARIES  
JOINT STANDING COMMITTEE  
ON  
STATE AND LOCAL GOVERNMENT**

**JULY 1993**

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**ONE HUNDRED AND SIXTEENTH LEGISLATURE  
FIRST REGULAR SESSION**

**JOINT STANDING COMMITTEE  
BILL SUMMARIES**

**JULY 1993**

This document is a compilation of the bill summaries prepared by this office for the Joint Standing Committees and Joint Select Committees of the Maine Legislature. The volume is organized alphabetically by committee; within each committee, the summaries are arranged by LD number. A subject index is provided at the beginning of each committee's summaries.

The committee report or reports, the prime sponsor for each bill and the lead co-sponsor in each house if one has been designated are listed below each bill title. All adopted amendments are listed, by paper number (e.g., H-584 or S-222), together with the sponsor for floor amendments. Final action on each bill is listed to the right of the title. Various types of final action are abbreviated as follows:

<i>PUBLIC XXX</i>	<i>Chapter # of enacted Public Law</i>
<i>P&amp;S XXX</i>	<i>Chapter # of enacted Private &amp; Special Law</i>
<i>RESOLVE XXX</i>	<i>Chapter # of enacted Resolve</i>
<i>CON RES XXX</i>	<i>Chapter # of Constitutional Resolution passed by both Houses</i>
<i>EMERGENCY</i>	<i>Enacted law takes effect sooner than 90 days</i>
<i>CARRIED OVER</i>	<i>Bill carried over to Second Session</i>
<i>ONTP</i>	<i>Ought Not to Pass report accepted</i>
<i>ENACTMENT FAILED</i>	<i>Bill failed to get majority vote</i>
<i>INDEF PP</i>	<i>Bill Indefinitely Postponed</i>
<i>FAILED EMERGENCY ENACTMENT</i>	<i>Emergency bill failed to get 2/3 vote</i>
<i>FAILED MANDATE ENACTMENT</i>	<i>Bill imposing local mandate failed to get 2/3 vote</i>
<i>DIED BETWEEN BODIES</i>	<i>House &amp; Senate disagree; bill died</i>
<i>CONF CMTE UNABLE TO AGREE</i>	<i>Committee of Conference formed but unable to agree</i>
<i>VETO SUSTAINED</i>	<i>Legislature failed to override Governor's Veto</i>
<i>UNSIGNED</i>	<i>Not signed by Governor within 10 days</i>
<i>DIED ON ADJOURNMENT</i>	<i>Action incomplete when session ended; bill died</i>

These summaries were prepared by the analyst or analysts assigned to the committee. But, this document was produced by the efforts of all the office staff, including secretaries: Charlene Raymond and Valarie Parlin.

If you have any suggestions or comments on these summaries, please let us know.

4693NRG

**SUMMARY**

This bill repeals that portion of the Maine Administrative Procedure Act that allows state agencies to adopt rules. In its place is enacted a prohibition on state agencies adopting judicially enforceable standards, criteria or requirements or further interpreting the law administered by the agency. State agencies are allowed to adopt internal operating policies and guidelines, issue advisory rulings and make adjudicatory decisions. A violation of the prohibition is judicially reviewable. Rules currently adopted by state agencies are declared void on July 1, 1994. The Legislature shall review these rules and may adopt and amend them.

The committee amendment (H-557) replaces the bill and establishes a procedure for joint standing committees of the Legislature to exercise review authority over rules proposed and adopted by administrative agencies. At the time a rule is proposed or an adopted rule is filed with the Secretary of State, the committee of jurisdiction may choose to review the rule on the approval of 1/3 of the committee members. Specific criteria and a schedule are established for the review, and a public hearing must be held. After reviewing the rule the committee is authorized to submit legislation to override or clarify the rule upon the vote of a majority of the committee. A similar process is established to review rules currently in effect.

The House amendment (H-670), which was not adopted by the Senate, retains the intent of the committee amendment while clarifying language describing the process by which agency rules will be reviewed by legislative committees.

**LD 1081**      **An Act to Promote Stronger Interdepartmental Cooperation**      **ONTP**

<b>SPONSOR(S)</b>	<b>COMMITTEE REPORT</b>	<b>AMENDMENTS ADOPTED</b>
JOSEPH	ONTP	

**SUMMARY**

This bill abolishes the existing Interdepartmental Council and creates a new Interdepartmental Council within the Executive Department. The goals of the council include promoting a statewide system of coordinated and accessible services that are responsive to the needs of children and their families and to promote collaboration among private and public agencies providing such services. The new council is chaired by a member of the Governor's staff who has authority to make decisions when the council can not come to agreement.

**LD 1096**      **An Act Repealing Advisory Boards on State and Local Government Matters**      **PUBLIC 361**

<b>SPONSOR(S)</b>	<b>COMMITTEE REPORT</b>	<b>AMENDMENTS ADOPTED</b>
	OTP-AM	H-483 H-550    JOSEPH

**SUMMARY**

This bill is submitted in compliance with Public Law 1991, chapter 844, section 8, which requires the Secretary of State to submit legislation repealing all advisory boards and commissions listed in the Maine Revised Statutes, Title 5, sections 12004-I and 12004-J as well as other advisory boards and commissions with similar functions.