MAINE STATE LEGISLATURE

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STATE OF MAINE 118TH LEGISLATURE

FIRST REGULAR SESSION AND FIRST SPECIAL SESSION

BILL SUMMARIES JOINT STANDING COMMITTEE ON STATE AND LOCAL GOVERNMENT

JULY 1997

MEMBERS: Sen. John M. Nutting, Chair Sen. Jill M. Goldthwait Sen. James D. Libby

Staff:

Roy W. Lenardson, Legislative Analyst Deborah C. Friedman, Legislative Analyst David C. Elliott, Principal Analyst

Office of Policy and Legal Analysis Room 101/107/135, 13 State House Station Augusta, ME 04333 (207)287-1670 Rep. Douglas J. Ahearne, Chair Rep. William Lemke Rep. Lucien A. Dutremble Rep. Martha A. Bagley Rep. Laura Sanborn Rep. F. Thomas Gieringer, Jr. Rep. Randall L. Bumps Rep. Robert F. Fisk, Jr. Rep. Susan Kasprzak Rep. Belinda A. Gerry



Maine State Legislature OFFICE OF POLICY AND LEGAL ANALYSIS

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ONE HUNDRED EIGHTEENTH LEGISLATURE FIRST REGULAR AND FIRST SPECIAL SESSIONS

Summary Of Legislation Before The Joint Standing Committees August 1997

We are pleased to provide this summary of bills that were considered by the 15 Joint Standing Committees of the Maine Legislature staffed by this office. The document is a compilation of bill summaries which describe each bill, committee amendments and other relevant amendments, as well as the final action taken on the bill. Also included are statistical summaries of bill activity this Session for the Legislature and each of its joint standing committees.

The document is organized for convenient reference to information on bills handled by the joint standing committees. It is organized alphabetically by committees and within committees by bill (LD) number. The committee report(s), prime sponsor for each bill and the lead co-sponsor(s), if designated, are listed below each bill title. All adopted amendments are listed by paper number. Two indices, a subject index and a numerical index by LD number are provided for easy reference to bills. They are located at the back of the document. A separate publication, <u>History and Final Disposition of Legislative Documents</u>, may also be helpful in providing information on the disposition of bills. These bill summaries also are available at the Law and Legislative Reference Library and on the Internet (www.state.me.us/legis/opla).

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:

CARRIED OVER	Bill carried over to Second Regular Session
DIED BETWEEN BODIES	
DIED IN CONCURRENCE	One body accepts ONTP report; the other indefinitely postpones the bill
DIED ON ADJOURNMENT	
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	
FAILED MANDATE ENACTMENT	Bill imposing local mandate failed to get 2/3 vote
INDEF PP	Bill Indefinitely Postponed
ONTP	Bill imposing local mandate failed to get 2/3 voteBill Indefinitely PostponedOught Not To Pass report accepted
OTP ND	
OTP ND/NT	
P&S XXX	Chapter # of enacted Private & Special Law
PUBLIC XXX	
RESOLVE XXX	
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 First Regular Session (unless otherwise specified in a particular law) is June 26, 1997 and September 19, 1997 for the First Special Session.

David E. Boulter, Director

LD 1115 proposed to amend the Maine Administrative Procedure Act regarding legislative review of major substantive agency rules to:

- 1. Require agencies, when they file finally adopted rules that have been reviewed by the Legislature with the Secretary of State, to cite the legislative act that authorized final adoption by the agency.
- 2. Require agencies to file copies of provisionally adopted rules with the Secretary of State at the same time they submit those rules to the Legislature for review.
- 3. Authorize the Legislative Council to establish an earlier filing deadline for agency rules being submitted for legislative review when the Legislature anticipates adjourning before statutory adjournment.

Enacted law summary

Public Law 1997, chapter 196 amends the Maine Administrative Procedure Act regarding legislative review of major substantive agency rules to:

- 1. Require agencies, when they file finally adopted rules that have been reviewed by the Legislature with the Secretary of State, to cite the legislative act that authorized final adoption by the agency.
- 2. Require agencies to file copies of provisionally adopted rules with the Secretary of State at the same time they submit those rules to the Legislature for review.
- 3. Authorize the Legislative Council to establish an earlier filing deadline for agency rules being submitted for legislative review when the Legislature anticipates adjourning before statutory adjournment.

LD 1120 An Act to Allow the Recording of Registry Records on Optical Disks

ONTP

Sponsor(s)	Committee Report	Amendments Adopted
GOLDTHWAIT	ONTP	_
MAYO		

LD 1120 proposed to allow the recording of deeds on optical disk or photograph as well as on microfilm and to permit a register of deeds to withdraw an original document from use after 50 years or earlier if in poor condition.

LD 1152 An Act to Provide Legal Counsel for Legislative Investigating INDEF PP Committees

Sponsor(s)	Committee Report		Amendments Adopted
MARVIN	OTP-AM	MAJ	H-488
BENOIT	ONTP	MIN	

LD 1152 proposed to allow a joint standing committee of the Legislature to employ independent legal counsel, without approval of the Attorney General, if the Legislative Council approved the committee's proposal for employment.

Committee Amendment "A" (H-488) proposed to replace the bill. It would have authorized the Legislative Council to employ legal counsel for a legislative investigating committee, without approval of the Attorney General, if (1) the council believed that representing the committee would place the Department of the Attorney General in a conflict with its representation of persons or entities subject to investigation; and, (2) existing legislative staff could not provide the needed services.

LD 1160 RESOLUTION, Proposing an Amendment to the Constitution of Maine to Establish 4-year Terms for Constitutional Officers

ONTP

Sponsor(s)
AHEARNE
OTP-AM MAJ
ONTP MIN

Committee Report Amendments Adopted

LD 1160 proposed to amend the Constitution of Maine to establish four-year terms for the Attorney General, the Secretary of State, the Treasurer of State and the State Auditor.

Committee Amendment "A" (H-174) proposed to delete language relating to the State Auditor, since that office is not established in the Constitution and to add a limit of two consecutive terms to each of the constitutional officers.

LD 1169 An Act to Authorize the Annexation of Certain Land by Lake View Plantation

ONTP

Sponsor(s)Committee ReportAmendments AdoptedHALLONTP

LD 1169 proposed to authorize the annexation by Lake View Plantation of land owned by Albert J. Childs in Township 4, Range 9 NWP in Piscataquis County, subject to referendum.

LD 1173 An Act to Preserve Public Access to Governmental Information through Libraries Regardless of Format or Medium

PUBLIC 299 EMERGENCY

Sponsor(s)Committee ReportAmendments AdoptedTREATOTP-AMS-253

LD 1173 proposed to require state agencies and legislative committees to supply 18 print copies of publications on electronic media, such as CDs or videotapes, as well as 18 copies in the publication medium. It also proposed to require that they provide one print copy of electronically published material, such as material placed on the Internet, to the State Librarian.