

MAINE STATE LEGISLATURE

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STATE OF MAINE
118TH LEGISLATURE

SECOND REGULAR SESSION
AND
SECOND SPECIAL SESSION

BILL SUMMARIES
JOINT STANDING COMMITTEE
ON
APPROPRIATIONS AND FINANCIAL AFFAIRS

MAY 1998

MEMBERS:

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Sen. John J. Cleveland
Sen. Richard A. Bennett

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ONE HUNDRED EIGHTEENTH LEGISLATURE
SECOND REGULAR AND SECOND SPECIAL SESSIONS

Summary Of Legislation Before The Joint Standing Committees
May 1998

We are pleased to provide this summary of bills that were considered by the Joint Standing Committees of the Maine Legislature. The document is a compilation of bill summaries which describe each bill and relevant amendments, as well as the final action taken. 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 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, History and Final Disposition of Legislative Documents, 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:

- CON RES XXX*..... Chapter # of Constitutional Resolution passed by both Houses
- CONF CMTE UNABLE TO AGREE*.....Committee of Conference unable to agree; bill died
- DIED BETWEEN BODIES*.....House & Senate disagree; bill died
- DIED IN CONCURRENCE*.....One body accepts ONTP report; the other indefinitely postpones the bill
- DIED ON ADJOURNMENT*.....Action incomplete when session ended; bill died
- 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*.....Bill failed to get majority vote
- FAILED MANDATE ENACTMENT*.....Bill imposing local mandate failed to get 2/3 vote
- INDEF PP*.....Bill Indefinitely Postponed
- ONTP*..... Ought Not To Pass report accepted
- OTP ND*..... Committee report Ought To Pass In New Draft
- OTP ND/NT*..... Committee report Ought To Pass In New Draft/New Title
- P&S XXX*..... Chapter # of enacted Private & Special Law
- PUBLIC XXX*..... Chapter # of enacted Public Law
- RESOLVE XXX*..... Chapter # of finally passed Resolve
- 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 Second Regular Session (unless otherwise specified in a particular law) is June 30, 1998 and July 9, 1998 for the Second Special Session. Second Special Session laws include Public Laws beginning with Chapter 718, Private and Special Laws beginning with Chapter 82 and Resolves beginning with Chapter 117.

<u>Sponsor(s)</u>	<u>Committee Report</u>	<u>Amendments Adopted</u>
MITCHELL E LONGLEY	OTP	

LD 1970 proposed to provide funding to the Jobs for Maine's Graduates program to replace lost federal school-to-work funds, thereby preventing the shutdown of 14 school sites and the elimination of dropout prevention, dropout recovery and school to work or college transition services to 580 Maine students. A General Fund appropriation of \$515,000 for this purpose was included in Public Law 1997, chapter 643, Part BBB.

LD 1995 **An Act to Appropriate Funds for Library Resource Sharing and for Acquisitions for the Maine State Library** **P & S 83**

<u>Sponsor(s)</u>	<u>Committee Report</u>	<u>Amendments Adopted</u>
COLWELL RAND	OTP-AM	H-844 S-764 MICHAUD

LD 1995 proposed to fund resource sharing among Maine's libraries. It proposed to help reduce the financial impact of rising postal charges and other costs associated with interlibrary lending and borrowing and to raise the Maine State Library's acquisition budget to the level of the other area reference and resource centers at Bangor Public Library and Portland Public Library.

Committee Amendment "A" (H-844) proposed to establish a nonlapsing account within the Maine State Library designed to provide support for public libraries and to foster and help fund library resource sharing. It provided a General Fund appropriation of \$1,200,000 in fiscal year 1998-99 as the initial funding year and required the State Library Commission to report annually on disbursements made to public libraries from the account. It also proposed to provide a General Fund appropriation to increase the Maine State Library's acquisition budget by \$200,000 annually beginning in fiscal year 1998-99.

Senate Amendment "C" to Committee Amendment "A" (S-764) struck the portions of the committee amendment that created a nonlapsing fund within the Maine State Library to support public libraries and library resource sharing. It also removed the \$1,200,000 General Fund appropriation provided for that purpose and specified that the remaining \$200,000 appropriation is provided on a one-time basis.

Enacted law summary

Private and Special Law 1997, chapter 83 provides a General Fund appropriation of \$200,000 in fiscal year 1998-99 to the Maine State Library on a one-time basis to increase the library's acquisition budget.

LD 2000 **An Act to Appropriate Funds for Mental Retardation Day Services for Nonclass Members** **ONTP**

<u>Sponsor(s)</u>	<u>Committee Report</u>	<u>Amendments Adopted</u>
TOWNSEND	ONTP	

LD 2000 proposed to provide a \$1,300,000 General Fund appropriation for the Department of Mental Health, Mental Retardation and Substance Abuse Services to provide day services to people with mental retardation who are not class members.

LD 2002

An Act to Delay the Implementation of Performance Budgeting for State Government

**PUBLIC 764
EMERGENCY**

Sponsor(s)
OTT

Committee Report
OTP-AM

Amendments Adopted
H-1089

LD 2002 proposed to delay the strategic planning and performance budgeting initiative as enacted by Public Law 1995, chapter 705 and Public Law 1997, chapter 184. The delay would allow the departments and agencies of State Government to further refine their strategic plans and to solicit additional input from the Legislature. Development of policy areas and development of joint strategic plans would be delayed for 2 years. The establishment of policy areas would be the responsibility of the Legislature. Full implementation of performance budgeting would be delayed 4 years to coincide with the 2004-2005 biennium.

It proposed to require the Commission on Performance Budgeting to recommend the most cost-effective method to validate measurable objectives and to audit the completed performance budget. The commission would also be authorized to submit legislation as necessary.

Finally, it required the State Budget Officer to submit a recommendation to the Legislature and the Governor concerning the specific level at which resources would be appropriated or allocated in the performance budget milieu.

Committee Amendment "A" (H-1089) proposed the following:

1. Clarified that the legislative and judicial branches may elect to participate or to not participate in the strategic planning and performance budgeting initiative;
2. Eliminated all reference to "policy area" planning or budgeting;
3. Added or clarified certain definitions related to strategic planning and performance budgeting;
4. Reduced the size of the Commission on Performance Budgeting to 13 members, called on the President of the Senate and the Speaker of the House to appoint the chair from the legislative members and called on the commission to be staffed primarily by Legislative Council staff;
5. Called on state agencies to submit updated draft strategic plans by December 1, 1998, submit final strategic plans by December 1, 1999 and submit biennial strategic plan revisions by December 1, 2000 and December 1st of each even-numbered year thereafter to the joint standing committee of the Legislature having jurisdiction over that agency's matters for its review and comment;
6. Called on state agencies to identify programs within their agency having the same or similar goals and objectives as one or more other state agencies, consult and coordinate their strategies toward common goals and objectives and submit any revised strategic plans by September 1, 2001 to the joint standing committee of the Legislature having jurisdiction over that agency's matters, as well as to the State Planning Office, the Bureau of