

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

Prepared by:

Ted Potter, Legislative Assistant
Office of Legislative Assistants
State House, Station 13 Augusta, Maine 04333
(207) 289-1670



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STATE OF MAINE
OFFICE OF LEGISLATIVE ASSISTANTS
ROOM 101
STATE HOUSE, STATION 13
AUGUSTA, MAINE 04333
TEL.: (207) 289-2486

SARAH HOOKE
JULIE S. JONES
JOHN B. KNOX
EDWARD POTTER
MARGARET J. REINSCH
LARS RYDELL
JOHN SELSER
ANDREA COLNES, RES. ASST.

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.

E. Industrial Revenue bonds (FAME, MSHA).

The types of bonds that are included in this bill include:

- A. Highway and bridge construction bonds;
- B. Environmental Protection Project bonds;
- C. Economic Development Project bonds;
- D. Building Constructions bonds (court houses, prisons, etc.).

The purpose of the bill is to require each project to stand on the own merit for voter scrutiny. A very popular project could not be used to obtain approval for special interest and unpopular projects. In other words, "pork-barrel" bond projects would be required to obtain voter approval and could not "hide" under the coat-tails of a necessary project.

The arguments presented against this proposed statutory requirement included:

- A. The Legislature currently has the authority to present bond questions to voters that contain only 1 project;
- B. A Legislature cannot bind future legislatures with respect to legislative policies and procedures; and
- C. The adverse effect on projects of small municipalities, particularly in rural areas. According to this argument, projects proposed for larger metropolitan areas or regions will fare better than projects proposed in sparsely populated areas.

LD:

377

AN ACT TO AMEND THE MAINE ADMINISTRATIVE PROCEDURE ACT TO REQUIRE THE DESIGNATION OF FEDERAL AND STATE STATUTES AND REGULATIONS

HICHENS
BOUTILIER
BROWN L

OTP-AM

HOUSE Enacted
SENATE Enacted
GOV SIGNED

PUBLIC
CH # 77

S-20

CA

H

S

SUMMARY:

LD 377 proposed to add requirements with respect to agencies and the adoption of rules. The bill proposed that whenever an agency proposes or adopts a rule, the agency would be required to indicate, for the public and the "affected population," the state or federal law or regulation on which the rule is based. In addition, the

agency would be required to show how the rule meets, exceeds, or departs from the standards or provisions in federal/state laws or rules.

The purpose of the bill is to provide the public with more information about and a better understanding of proposed rules. In addition, the bill sought to force state agencies to adopt rules that more closely comply with legislative or Congressional intent.

The Committee amended the bill (Committee Amendment "A"-S-20) to require only that agencies refer to the underlying federal or state law or regulation that serves as a basis of the proposed rule. Since agency rules cannot depart from state/federal law or federal rules, the requirement for this evaluation was removed.

LD: 378 AN ACT TO DESIGNATE THE DAY OF THE STATE TUTTLE
GENERAL ELECTION A STATE HOLIDAY PAUL
HANDY MATTHEWS Z

LU-WD HOUSE Accepted Committee Report
SENATE Accepted Committee Report
GOV

SUMMARY:

LD 378 proposed to establish general election day in Maine as a state holiday in order to increase voter participation at the polls.

According to the Council of State Governments, 20 states have established election day as a paid holiday for state employees only. Two states, Kentucky and Montana, provide state employees a vacation day for the presidential election only.

The bill was rejected by the committee because of the lack of evidence that a state holiday would significantly increase voter participation at the polls. Another reason for the bill's rejection is the cost that would be incurred by the private sector, and particularly the impact on Maine's business climate. Since no other state establishes election day as a state holiday, Maine's private sector would suffer from the competition with the private sectors in other states.