

# 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.

impact on the State, the specific units of government should be clearly defined.

B. Delegation of Authority

This issue relates specifically to the liability of the Legislature to appropriate monies for rules adopted by executive agencies. The committee may wish to request an opinion from the Attorney General with respect to this particular activity.

The Constitution prohibits the surrender of or suspension of the Legislative power of taxation (See Article IX, Section 9). Thus, the Legislature affirms the expenditure of state revenues in accordance with programs approved and revenues raised by the Legislature.

If an executive agency adopts a rule that increases a cost to a municipality(ies) and the State is required to fund the cost which requires an increase in taxes, this situation may violate Section 9 of Article 9.

C. New or expanded requirement.

It would be prudent to establish a definition of "new or expanded requirement." While the phrase may appear obvious in intent and meaning, there may be cases or interpretations for which solutions may not be as obvious. For example, stricter enforcement of the current criminal code could increase costs to county and municipal law enforcement agencies. Is this a "new or expanded requirement"?

LD: 671 AN ACT CREATING A DEPARTMENT OF MAINE'S  
FUTURE

KANY  
GWADOSKY  
CROWLEY  
ANDREWS

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

SUMMARY:

LD 671 proposed to create a new department entitled the Department of Maine's Economic Future. The department would consist of:

- 1) the State Development Office,
- 2) the Bureau of Vocational-Technical Institutes (currently within the Department of Education),
- 3) the Bureau of Community Development to include the:

- a) Maine Municipal Bond Bank and
  - b) the Community Block Grant Company
- 4) the Finance Authority of Maine.

According to the Statement of Fact, the purpose of the "...bill is to coordinate and make efficient the State's economic development and business assistance programs, to produce and forster economic growth, and to enable Maine citizens to realize their employment potential."

Currently, there is no formal structure to coordinate the activities of the several economic development agencies of the State. As a result, there is duplication of effort and programs.

The bill was withdrawn by the sponsors because of insufficient support for the bill. The sponsors asserted that the bill is "... ahead of its time but will most likely be implemented in the future."

LD:	679	AN ACT TO PROVIDE FOR FLEXIBILITY IN THE APPLICATION OF STATE REGULATIONS AFFECTING SMALL BUSINESS	GWADOSKY LACROIX TELOW ALLEN
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LV-WD	HOUSE Accepted Committee Report SENATE Accepted Committee Report GOV
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SUMMARY:

LD 679 proposed to ease the burden of rule making on small businesses (less than 100 employees) by requiring each agency to describe the impact of the proposed rule and how the rule will be implemented. The description would be made available to the public. Specifically the bill required the agency to prepare:

- A. a description of the problem the rule is directed to address and the objectives of the rule;
- B. a description of the small businesses affected by the rule;
- C. a description of:
  - 1) reporting and record keeping requirements and
  - 2) compliance costs
- D. a description of significant alternatives to the proposed rule and various compliance and record keeping activities that could reduce the cost of the proposed rule; and