

# MAINE STATE LEGISLATURE

The following document is provided by the  
**LAW AND LEGISLATIVE DIGITAL LIBRARY**  
at the Maine State Law and Legislative Reference Library  
<http://legislature.maine.gov/lawlib>



Reproduced from scanned originals with text recognition applied  
(searchable text may contain some errors and/or omissions)

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



STATE LAW LIBRARY  
STATE HOUSE

HELEN T. GINDER, DIRECTOR  
HAVEN WHITESIDE, ASST. DIRECTOR  
GILBERT W. BREWER  
DAVID ELLIOTT  
MARTHA FREEMAN  
CHRISTOS GIANOPOULOS  
WILLIAM T. GLIDDEN, JR.

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.

LD: 1242 AN ACT TO REQUIRE SUFFICIENT NOTIFICATION IN SCARPINO  
CASES OF ADOPTION OF AGENCY RULES

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

SUMMARY:

LD 1242 proposed to require state agencies to delay by 30 days, the implementation of any rules except emergency rules that agencies adopt and to give notice that the agencies have adopted rules to the public and to persons who have requested copies of agencies' rules within the past year.

The bill did not prohibit the adoption of rules nor did the bill delegate veto power over rulemaking to any person or organization. The bill established a 30 day waiting period from the time a rule is adopted to the time the rule is implemented.

For the most part, most rules, except emergency rules, currently do not go into effect until 10 days to 2 weeks following adoption by the agency. The notice provisions in the bill already exist in current law.

Current Notice Provisions. Currently notice is provided at least 20 days prior to the adoption of a rule to interested persons and persons affected by the rule. The 30 day waiting period proposed in the bill would not necessarily give an interested person or organization any "earlier" notice about the rule. The question here is whether a 50 day period is necessary.

LD: 1269 AN ACT RELATING TO THE CLASSIFICATION OF THE DOW  
DEPUTY TREASURER AND SUPERVISOR OF ABANDONED MCGOWAN  
PROPERTY BRANNIGAN

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

SUMMARY:

The bill proposed to establish new salary ranges for the Deputy Treasurer and Supervisor of abandoned property who have reached the top of their current pay range. The Department of Personnel opposed the bill and asserted that the department should first study the positions and evaluate the current pay scales for these positions.

The State Treasurer asserted that the Department of Personnel had looked at one position and had done nothing. The Treasurer was concerned about losing excellent state employees who are at the top of their payrange and have no incentive to continue in their position.

The Personnel Department agreed to review the positions and take whatever action is necessary to provide incentives to these people. The bill was then withdrawn.

LD: 1280 AN ACT TO REALLOCATE MORTGAGE INSURANCE GWADOSKY  
EMERGENCY AUTHORITY FROM THE MORTGAGE INSURANCE PROGRAM MARTIN J  
OF THE FINANCE AUTHORITY OF MAINE TO THE PRAY  
MAINE SMALL BUSINESS LOAN PROGRAM MURPHY T

OTP HOUSE Emerg. Enacted PUBLIC  
SENATE Emerg. Enacted CH # 198  
GOV EMER SIGNED

SUMMARY:

The Finance Authority of Maine administers both the Maine Small Business Loan Program and the Mortgage Insurance Program. By statute, the aggregate principal amount of insured loans under the Maine Small Business Loan Program could not exceed \$2,500,000 at any time and under the Mortgage Insurance Program it could not exceed \$60,000,000 at any time.

The success of the Maine Small Business Loan Program resulted in a portfolio rapidly approaching the \$2,500,000 maximum. As the maximum was approached, the authority would have to cut back on the number and size of loans it could insure, resulting in the possibility that eligible Maine small businesses would not be able to obtain the financing they need.

LD 1280, therefore, temporarily moved \$2,000,000 in loan insurance authority from the Mortgage Insurance Program to the Maine Small Business Loan Program, ensuring that small businesses would continue to be able to obtain insured commercial loans that they would not otherwise be able to obtain.

LD: 1296 AN ACT CONCERNING APPEALS TO THE GOVERNMENTAL ETHICS COMMISSION SPROUL

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

SUMMARY:

LD 1296 proposed to allow the Commission on Governmental Ethics and Election Practices to rule on non-parliamentary decisions made by the Speaker of the House and President of the Senate and challenged by members of the House and the Senate. Some persons did not believe that the Commission on Government Ethics and Election Practices should be broadened to include this new duty. The Speaker of the House testified that he often times