

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
SECOND REGULAR SESSION

JOINT STANDING COMMITTEE ON
STATE GOVERNMENT
BILL SUMMARY



MAY 1986

PREPARED BY:

Edward Potter, Legislative Analyst

OFFICE OF POLICY AND LEGAL ANALYSIS
STATE HOUSE, STATION 13 AUGUSTA, MAINE 04333
(207) 289-1670



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

STATE OF MAINE
OFFICE OF POLICY AND LEGAL ANALYSIS
ROOM 101/107
STATE HOUSE STATION 13
AUGUSTA, MAINE 04333
TEL.: (207) 289-1670

JULIE S. JONES
JOHN B. KNOX
EDWARD POTTER
MARGARET J. REINSCH
LARS H. RYDELL
JOHN R. SELSER
ANDREA L. COLNES, Res. Asst.

ONE HUNDRED AND TWELFTH LEGISLATURE
SECOND REGULAR SESSION

JOINT STANDING COMMITTEE
BILL SUMMARIES
MAY 1986

This document is a compilation of the bill summaries prepared by this office for the Joint Standing Committees and Joint Select Committees of the Maine Legislature, covering the Second Regular Session of the 112th Legislature. The summaries are arranged by LD number under each committee.

All Amendments are listed, by paper number (e.g., H-584 or S-222), together with the sponsor if it is a floor amendment or the designation "CA" if it is a committee amendment. If the amendment was adopted in the House, the letter H appears after the sponsor. If it was adopted in the Senate, the letter S appears.

Final action for each bill is listed to the right of the title. If final House action and Senate action differ, both are listed.

Key to Committee Reports and Floor Action:

OTP	Ought to Pass
OTP-ND	Ought to Pass in New Draft
OTP-ND-NT	Ought to Pass in New Draft, New Title
OTP-AM	Ought to Pass as Amended
ONTP	Ought Not to Pass
LVWD	Leave to Withdraw
INDEF PP	Indefinitely Postponed

The State Government Committee study examined powers, duties, and responsibilities of boards and commissions. The boards are categorized according to the powers, duties, and responsibilities, and the standards for compensation are provided in the law.

LD 1718 proposed to make the Health Care Finance Commission the highest paid board in state government. Although this board has significant powers, duties, and responsibilities, there are other boards with similar powers and responsibilities that are paid much less in per diem. In addition, appointments to boards and commissions is considered an honor. Unofficial policy has been to pay per diem rates that do not reflect current market rates for similar duties and responsibilities paid in the private sector.

LD 1743 AN ACT TO AMEND THE MAINE COMMUNITY SERVICES ACT PL 1985 c. 527

Sponsor: SIMPSON, Joseph, Randall
Committee Report: OTP-AM

H-491 CA H S

SUMMARY: LD 1743 proposed a number of technical changes to the statutory provisions governing the operation of the Division of Community Services. Most of the proposed changes were minor. For example, the term "weatherization" has been replaced with "energy conservation." Another more substantive change removes from the Community Services Advisory Board, an elected municipal official who is a local program operator of the fuel assistance program. The local program operator is replaced by a municipal official informed about the concerns of community action agencies.

A committee amendment which was adopted provides a penalty for any recipient who misuses fuel assistance or uses fraudulent means to qualify for fuel assistance.

LD 1748 AN ACT TO ALLOW ADMINISTRATIVE AGENCIES TO CONTINUE TO ADOPT EMERGENCY RULES WHERE NECESSARY PL 1985 c. 528

Sponsor: CHALMERS, Michael, Dutremble, Crowley
Committee Report: OTP

SUMMARY: LD 1748 enacted as P.L. 1985, c. 528, allows state agencies to adopt emergency rules prior to sending the rules to the Executive Director of the Legislative Council. Prior to the enactment of this law, emergency rules could not be adopted until copies of rules were sent to the Legislative Administrative Director (Executive Director, Legislative Council) at least 20 days prior to adoption. This requirement seriously impaired the intent of adopting emergency rules.

LD 1758 AN ACT TO CLARIFY SALES OF SURPLUS VEHICLES AT STATE AUCTION ND LD 2047

Sponsor: COTE, Nadeau, G.R., Lacroix
Committee Report: OTP-ND

SUMMARY: LD 1758, in its original form, proposed to exempt the State from the Used Car Information Act by excluding the State from the definition of a used car dealer.

The State sells used state vehicles including cars, trucks, and loaders at auction twice a year. State statistics indicate that for fiscal year 1984-85, a total of \$395,675 was derived from motor vehicle auction sales. Of this amount, \$95,050 was derived from the September, 1984 auction; and \$300,625 was derived from the June, 1985 auction.

Motor vehicle dealers are significant buyers of these used vehicles. According to Bureau of Purchases' figures, dealers purchased roughly 35% of used state vehicles.

Some motor vehicle dealers complained that the State should comply with the Used Car Information Act, and that the State serves as a broker and dealer when the state sells vehicles at auction.

According to the Bureau of Purchases, the state used to trade in all its vehicles on new ones. But, the state only received a few hundred or only \$100 per vehicle for the trade-in. By auctioning the vehicles, the State derives substantially greater revenues which also increases the cost of these vehicles to motor vehicle dealers.

The Attorney General's office pointed out to the Bureau of Purchases that the law was sufficiently vague to be interpreted to establish the State as a dealer under the Used Car Information Act.