

# MAINE STATE LEGISLATURE

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STATE OF MAINE  
113TH LEGISLATURE  
SECOND REGULAR SESSION



BILL SUMMARY  
JOINT STANDING COMMITTEE  
ON  
STATE & LOCAL GOVERNMENT  
PART I - STATE GOVERNMENT

MAY 1988

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Sen. Robert R. Gould

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\* Denotes Chair

Staff: Ted Potter, Legislative Analyst

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**ONE HUNDRED AND THIRTEENTH LEGISLATURE  
FIRST & SECOND SPECIAL SESSIONS  
SECOND REGULAR SESSION**

**JOINT STANDING COMMITTEE  
BILL SUMMARIES  
MAY 1988**

*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. The summaries are arranged by LD number under each committee.*

*All Adopted Amendments are listed, by paper number (e.g., H-584 or S-222), together with the sponsor for floor amendments. Final action is listed to the right of the title. If final House and Senate action differ, both are listed. Committee Reports and Floor Action are indicated as follows::*

<b>OTP</b>	<b>Ought to Pass</b>
<b>OTP-ND</b>	<b>Ought to Pass in New Draft</b>
<b>OTP-ND-NT</b>	<b>Ought to Pass in New Draft, New Title</b>
<b>OTP-A</b>	<b>Ought to Pass as Amended</b>
<b>ONTP</b>	<b>Ought Not to Pass</b>
<b>LVWD</b>	<b>Leave to Withdraw</b>
<b>INDEF PP</b>	<b>Indefinitely Postponed</b>

*Each individual summary was prepared by the analyst assigned, as noted for each committee. But, this document was produced by the efforts of all the office staff, including Secretaries: Charlene Brann, Janet Jean, Earl Knox, Valarie Parlin; Research Assistant Hartley Palleschi. Finally, Secretary Laurette Knox, Legal Assistant Carolyn Chick, and Research Assistant Robert Dunn had special responsibilities in the preparation of the overall document.*

*Please give us your suggestions and comments on these summaries and tell us of any inaccuracies.*

of trustees of the insurance program and provides a broader, more representative panel. The commission is given the policy and regulatory authority for employee health insurance, with the Commissioner of Administration providing for the day-to-day operation of the program. The commission may also replace the current Labor-Management Committee on Employee Health as the primary advisory for the Director of State Employee Health.

**LD** An Act to Provide for Effective and Timely Public Notice of **PUBLIC**  
**2537** Hearings Conducted by State Boards and Agencies **653**  
**EMERGENCY**

<u>SPONSOR(S)</u>	<u>COMMITTEE REPORT</u>	<u>AMENDMENTS ADOPTED</u>
SHELTRA JACQUES LOOK BALDACCI		

SUMMARY

New Draft Of LD 2061

This new draft creates within the Maine Administrative Procedures Act (Title 5, chapter 375) specific provisions for notice of hearings and provisions for notice of license and permit applications of environmental agencies. Environmental agencies are defined as the Department of Conservation, the Department of Environmental Protection, and the Board of Pesticides Control. With respect to environmental agency licenses and permit applications that do not require hearings, this new draft requires notice by mail be provided, at least 30 days prior to the expected date of an agency decision, to the following:

1. The person or persons whose legal rights, duties or privileges are at issue;
2. The municipality or municipalities affected by the license application, as determined by the agency to the best of its ability;
3. The county, if the affected locality as determined by the agency to the best of its ability is an unorganized territory;
4. The Legislators of the area affected by the issue; and
5. Persons who have made timely requests to be notified of an agency deliberation of a specific license application.

With respect to environmental agency hearings, this new draft requires notice by mail, at least 30 days prior to the date of the hearings, to the persons and localities listed above as well as to intervenors and persons who have made requests within the calendar year to be notified of hearings.

This new draft also requires that notice of an opportunity for a hearing or notice of a scheduled hearing be published in a newspaper of general

circulation in the area of the proposed activity and other geographic areas affected by the proposed activity as determined by the agency.

The first notice will be published 30 days prior to the date of a hearing or 30 days prior to the expected date of an agency decision on license applications not requiring a hearing. The 2nd notice will be published no less than 7 days and no more than 13 days prior to the date of a hearing or no less than 7 and no more than 13 days prior to the expected date of an agency decision on license applications that do not require a hearing.

Any state agency or board is required to give timely notice of hearing cancellations and postponements. Whenever any state agency or board holds a hearing on a license application or other issue which is of significant interest to or significantly affects an area, the agency or board will strive to hold a hearing in that geographic area or areas.

LD An Act to Create a State Capitol Commission  
2563

INDEF PP

SPONSOR(S)

COMMITTEE REPORT

AMENDMENTS ADOPTED

PRAY  
MURPHY T  
MARTIN J  
PERKINS

SUMMARY

New Draft Of LD 2148

LD 2148, the original bill, proposed to create a State Capitol Commission, consisting of 12 members, to approve architectural, aesthetic, or decorative alterations to the State House. The Director of the Maine Historic Preservation Commission who would serve as the permanent chairperson and 6 public members appointed by the Speaker of the House of Representatives and President of the Senate are the voting members. The Directors of the Arts Commission, the State Museum, the Bureau of Public Improvements, the chair of the Capitol Planning Commission; and the executive director of the Legislative Council would serve as non-voting members.

The commission would prepare a proposed plan for the State House to be submitted to the Legislative Council for adoption as the official State plan for the State House.

A new draft of the bill, LD 2563, clarifies the roles of the State Capitol Commission and the Capitol Planning Commission. It removes duplication of tasks and responsibilities that existed in LD 2148. LD 2563 also authorizes the Legislative Council to adopt an official master plan for the State House. The Council will consult with the Joint Standing Committee on State and Local Government with respect to the adoption of this plan.