

MAINE STATE LEGISLATURE

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STATE OF MAINE
114TH LEGISLATURE
FIRST REGULAR SESSION



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

JULY 1989

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Sen. Donald E. Esty, Jr.
Sen. David L. Carpenter

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Rep. John S. McCormick, Jr.

* Denotes Chair

Staff: Ted Potter, Legislative Analyst

Office of Policy & Legal Analysis
Room 101, State House Sta. 13
Augusta, ME 04333
(207) 289-1670

MARTHA E. FREEMAN, DIRECTOR
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JOHN B. KNOX



STATE OF MAINE
OFFICE OF POLICY AND LEGAL ANALYSIS
ROOM 101/107/135
STATE HOUSE STATION 13
AUGUSTA, MAINE 04333
TEL: (207) 289-1670

ANNIKA E. LANE
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ONE HUNDRED AND FOURTEENTH LEGISLATURE
FIRST REGULAR SESSION

JOINT STANDING COMMITTEE
BILL SUMMARIES
AUGUST 1989

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 for 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 abbreviated as follows:

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

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 Research Assistant Barbara McGinn, and secretaries: Charlene Brann, and Valarie Parlin, and especially Laurette Knox who coordinated preparation of the overall document.

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

**LD 710 RESOLUTION, Proposing Amendments to the Constitution of
Maine to Provide for the Popular Election of the Attorney
General and the Secretary of State**

**ONTP-MIN REP
ACCEPTED**

<u>SPONSOR(S)</u>	<u>COMMITTEE REPORT</u>	<u>AMENDMENTS ADOPTED</u>
SEAVEY	OTP-AM MAJ	
LARRIVEE	ONTP MIN	
CARPENTER		

SUMMARY

LD 710 proposed to change the current selection process with respect to the Secretary of State and the Attorney General. Currently, these two constitutional officers are elected by the Legislature for 2 year terms. Under LD 710, these two constitutional officers would be elected by the people at a general election to serve 4 year terms of office.

Currently, the Attorney General is elected by the public in 40 states, and the Secretary of State is elected by the public in 35 states. Maine is the only State in which the Attorney General is elected by the Legislature and one of three states in which the Secretary of State is elected by the Legislature. Currently, the attorney general serves a 2 year term in 3 states and the Secretary of State serves a 2 year term in 4 states.

**LD 724 An Act to Increase the Daily Allowance of Members of the
Manufactured Housing Board**

LV/WD

<u>SPONSOR(S)</u>	<u>COMMITTEE REPORT</u>	<u>AMENDMENTS ADOPTED</u>
WEYMOUTH	LV/WD	
NUTTING		
AULT		

SUMMARY

LD 724 proposed to increase from \$35 to \$55 the per diem paid to members of the Manufactured Housing Board. Currently, 4 professional and occupational boards are paid at the legislative per diem rate (\$55).

The bill failed to receive committee approval because only 1 member of the board supported the pay increase. More important, however, is the lack of standards for justifying the increase. A number of boards with more substantive powers earn less than the legislative per diem rate (\$55).

**LD 728 An Act to Clarify the Voting Requirements for a Board
Containing 3 or More Members**

LV/WD

<u>SPONSOR(S)</u>	<u>COMMITTEE REPORT</u>	<u>AMENDMENTS ADOPTED</u>
GAUVREAU	LV/WD	
HOLLOWAY		
ANTHONY		
WENTWORTH		

SUMMARY

LD 728

With respect to boards consisting of 3 or more members, LD 728 proposed to require a majority of all board members to approve a board action unless the specific law governing a board provides otherwise. A

majority of a quorum of board members could not authorize a board action unless the specific law governing the board gives that authority to a board quorum.

The bill had far reaching implications that may have encouraged the sponsor to withdraw the bill before it was heard. The bill applied to all political subdivisions of the State. It also raised a number of substantive questions that could not be readily answered.

LD 777 An Act to Restrict Post-legislative Activity

LV/WD

SPONSOR(S)

COMMITTEE REPORT

AMENDMENTS ADOPTED

FOSS
MCCORMICK
BERUBE
COLLINS

LV/WD

SUMMARY

LD 777 proposed to prohibit former legislators from serving as a lobbyist for 1 year following termination of the Legislator's term of office.

This provision of this bill was incorporated in a committee bill on governmental ethics.

LD 800 An Act to Reorganize the Duties of the Board of the Maine Children's Trust Fund

**ONTP-MAJ REP
ACCEPTED**

SPONSOR(S)

COMMITTEE REPORT

AMENDMENTS ADOPTED

BERUBE
FOSS
COLES
WEBSTER M

ONTP MAJ
OTP-AM MIN

SUMMARY

LD 800 proposed to reduce the powers and duties of the Board of the Maine Children's Trust Fund and to provide staff assistance from the Department of Human Services to the board. Specifically, the bill repealed:

- A. The planning activities of the board;
- B. The information coordination and exchange function of the board;
- C. The statewide education program of the board;
- D. The authority of the board to employ an executive director and staff.

The board would reimburse the DHS up to \$20,000 per year.

While there was concern about the high administrative costs of the fund, the board's declining contributions to the fund, falling revenues, (check off revenues on the decline) and limited amounts of grants, there was no consensus with respect to resolving the problem. A minority of the Committee proposed that a ceiling of 15% of total revenues be placed on administrative costs. In addition, this proposal included a provision that the board actively pursue contributions from the public and private sectors.