

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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* Denotes Chair

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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 988 An Act to Place in the Unclassified Service the Utility
Technical Analyst and Utility Accountant II Positions at the
Public Utilities Commission

LV/WD

<u>SPONSOR(S)</u>	<u>COMMITTEE REPORT</u>	<u>AMENDMENTS ADOPTED</u>
JOSEPH BERUBE CARPENTER STROUT B	LV/WD	

SUMMARY

LD 988 proposed:

- A. To drop the classification titles I, II, and III for accountants and technical analysts.
- B. To declassify utility accountants II;
- C. To declassify utility technical analysts;
- D. That the Public Utilities Commission determine the salaries of utility accountants and technical analysts subject to approval by the Governor;
- E. That persons employed at the PUC as utility accountants and utility technical analysts may be disciplined only for cause; and
- F. To increase the ceiling on the Public Utility Commission Regulatory Fund by the assessment of an additional \$17,000 in fiscal year 1990 and \$55,200 in fiscal year 1991.

The bill failed to obtain committee approval because the PUC had not used any of the current procedures to address the problem of recruitment and retention that the PUC claimed to exist with respect to these positions. The Bureau of Human Resources testified that the positions proposed for declassification have been occupied for a long period of time by the incumbents. There does not appear to be a recruitment and retention problem.

LD 1011 An Act to Establish a Reporting Mechanism for Legislators
Attending Educational Conferences

ONTP-MAJ REP
ACCEPTED

<u>SPONSOR(S)</u>	<u>COMMITTEE REPORT</u>	<u>AMENDMENTS ADOPTED</u>
WHITCOMB COLLINS HUSSEY BAILEY	ONTP MAJ OTP MIN	

SUMMARY

LD 1011 proposed to require:

- A. Legislators and legislative staff persons who attend conferences and seminars, other than those sponsored by the Maine Development Foundation, state agencies, and state boards, to submit a one to two page report concerning the conference or seminar to the Executive Director of the Legislative Council.
- B. The Executive Director of the Legislative Council to compile all the reports for each calendar year and publish them along with a table of contents.

The penalty for failure to submit a report would be liability of the Legislator or staff person to pay for the total costs for attendance at the conference. Following receipt of a late report, the penalty would no longer apply.

The bill failed to receive committee approval because the Legislative Council, without legislation can require Legislators and legislative staff people to issue reports concerning conferences they attend. Furthermore, a statutory requirement would not be effective because one Legislature cannot bind future Legislatures.

LD 1014 An Act Concerning the Number of Terms Which a Legislator May Serve Consecutively in Either Chamber ONTP

<u>SPONSOR(S)</u>	<u>COMMITTEE REPORT</u>	<u>AMENDMENTS ADOPTED</u>
HANLEY	ONTP	
HEPBURN		
WEBSTER C		
GARLAND		

SUMMARY

LD 1014 proposed that Legislators in the Maine Legislature be limited to 5 consecutive terms in each house.

The bill failed approval because it was unconstitutional. Since the Maine Constitution is the only basis for qualifications for public office, the proposal in LD 1014 must be in the form of a Constitutional Amendment. In addition, no other states limit the number of terms to which a legislator may be elected.

Currently, 40.4% of House members and 48.6% of Senate members are serving their first or second term in office. The problem of "incumbency" does not appear to be a substantial problem in the State Legislature.

LD 1015 An Act Relating to the Director of the Bureau of Health PUBLIC 507

<u>SPONSOR(S)</u>	<u>COMMITTEE REPORT</u>	<u>AMENDMENTS ADOPTED</u>
GAUVREAU	OTP-AM MAJ	H-407 JOSEPH
RYDELL	ONTP MIN	S-146 MAJ REP
BERUBE		
MANNING		

SUMMARY

LD 1015 proposed that the Director of the Bureau of Health:

- A. be appointed by the Commissioner of Human Services;
- B. be subject to legislative review and confirmation;
- C. serve in the unclassified service; and
- D. serve at the pleasure of the Commissioner.

The purpose of the bill was to ensure that qualified people are appointed as director of the Bureau of