

# MAINE STATE LEGISLATURE

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STATE OF MAINE  
115TH LEGISLATURE

SECOND REGULAR SESSION

BILL SUMMARIES  
JOINT STANDING COMMITTEE  
ON  
STATE AND LOCAL GOVERNMENT

MAY 1992

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**ONE HUNDRED AND FIFTEENTH LEGISLATURE  
SECOND REGULAR SESSION**

**JOINT STANDING COMMITTEE  
BILL SUMMARIES**

**MAY 1992**

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 volume is organized alphabetically by committee; within each committee, the summaries are arranged by LD number. A subject index is provided at the beginning of each committee's summaries.

All adopted amendments are listed, by paper number (e.g., H-584 or S-222), together with the sponsor for floor amendments. Final action on each bill is listed to the far right of the title. Various types of final action are abbreviated as follows:

PUBLIC XXX	Chapter # of enacted Public Law
P&S XXX	Chapter # of enacted Private & Special Law
RESOLVE XXX	Chapter # of enacted Resolve
CON RES XXX	Chapter # of Constitutional Resolution passed by both Houses
EMERGENCY	Enacted law takes effect sooner than 90 days
CARRIED OVER	Bill carried over to Special Session
ONTP	Ought Not to Pass report accepted
LVWD	Leave to Withdraw report accepted
INDEF PP	Bill Indefinitely Postponed
FAILED EMERGENCY ENACTMENT	Emergency bill failed to get 2/3 vote
DIED BETWEEN BODIES	House and Senate disagree; bill died
CONF CMTE UNABLE TO AGREE	Committee of Conference formed but unable to agree
VETO SUSTAINED	Legislature filed to override Governor's Veto
UNSIGNED	Not signed by Governor within 10 days
DIED ON ADJOURNMENT	Action incomplete when session ended; bill died

These summaries were prepared by the analyst or analysts assigned to the committee. But, this document was produced by the efforts of all the office staff, including secretaries: Charlene Raymond and Valarie Parlin, especially Laurette Knox who coordinated preparation of the overall document.

If you have any suggestions or comments on these summaries, please let us know.

Committee amendment B (S-733) expanded both the original bill and committee amendment A which was drafted but not presented by the Appropriations Committee. It incorporated ideas from the omnibus restructuring bill, LD 2330, including the development of short and intermediate term revenue and economic forecasts, and long term economic trend forecasts. The amendment's proposed commission membership included two members selected by the Governor, one member selected by the President of the Senate, one member selected by the Speaker of the House and a fifth member selected by the other four appointed members. The commission was responsible for making and altering all projections and forecasts. The commission was required to meet and make reports regularly. The State Budget Officer was required to consider the commission's forecasts when preparing revenue estimates and, if the revenue estimates were not based on the commission's projections and forecasts, to prepare a written report explaining why they were not used. The amendment also added an appropriation section and a fiscal note to the bill to cover the expenses of the commission, which were authorized for reimbursement.

Senate amendment A (S-777) removed the amendment's provision to provide expenses to the commission, and deleted the appropriation section and the fiscal note.

**LD 825      An Act to Clarify the Definition of State Employee in the      ONTP**  
**State Employee Labor Relations Laws**

<b>SPONSOR(S)</b> JOSEPH BUSTIN	<b>COMMITTEE REPORT</b> ONTP	<b>AMENDMENTS ADOPTED</b>
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**SUMMARY**

This bill would have clarified the procedure that a public employer must follow in order to exempt a new position from the definition of "state employee" under the Maine Revised Statutes, Title 26, chapter 9-B. This bill would also have permitted the State to file a petition for unit clarification after a new position is established to avoid any delay in filling new positions.

**LD 1377      An Act to Create a State Municipalities Investment Pool      DIED BETWEEN BODIES**

<b>SPONSOR(S)</b> PRAY GWADOSKY BUSTIN GOODRIDGE	<b>COMMITTEE REPORT</b> OTP-AM      MAJ ONTP      MIN	<b>AMENDMENTS ADOPTED</b>
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**SUMMARY**

This bill, which was carried over from the first regular session, would have authorized the Maine Municipal Bond Bank to create a combined investment fund for use by municipalities within the State. The fund would have allowed municipalities to obtain short-term investments, provide enhanced ease of access to investments that meet all state statutory requirements for municipal investments and, simultaneously, provide a competitive rate of return.

The bill would have clarified the definition of municipality, and in addition, would have enhanced the efficiency of the bank's already existing power to borrow for short-term and long-term municipal capital needs by authorizing the bank to borrow, on behalf of municipalities, using security instruments other than a formal municipal bond.

The bill also would have clarified that the goals of the pool may be achieved by creating a separate, registered pool of funds or that funds may be pooled and then invested in other already existing

registered funds. Finally, the bill would have allowed a municipality to have any payments to it from the State deposited directly in its account in the pool.

Committee amendment A removed sections 4, 5 and 6 of the bill because the language in those sections had already been enacted into law.

**LD 1441      RESOLUTION, Proposing an Amendment to the Constitution of      ONTP**  
**Maine to Ensure State Recognition of the Rights of Victims**  
**of Crime**

<b>SPONSOR(S)</b>	<b>COMMITTEE REPORT</b>	<b>AMENDMENTS ADOPTED</b>
RICHARDS HOLLOWAY	ONTP	

**SUMMARY**

This resolution would have clarified that a victim of a crime is to be afforded certain rights and that those rights are as important as the rights of a person accused or convicted of the crime perpetrated on that victim.

**LD 1799      An Act to Clarify Relevant Information in Administrative      PUBLIC 632**  
**Rule-making Procedures**

<b>SPONSOR(S)</b>	<b>COMMITTEE REPORT</b>	<b>AMENDMENTS ADOPTED</b>
CARROLL D HOGLUND	OTP-AM	H-873

**SUMMARY**

The bill would have required agencies to solicit and respond to public comment on the economic and fiscal impact of proposed rules, by modifying the economic impact analysis portion of the rule-making provisions of the Maine Administrative Procedure Act. It also would have clarified that the economic as well as fiscal impact of proposed rules must be analyzed.

Committee amendment A (H-873) replaced the bill. The amendment specified that economic, environmental, fiscal and social impact analyses were included in the definition of "all relevant information" that an agency must consider under the rule-making provisions of the Maine Administrative Procedure Act.

**LD 1845      An Act to Require the Use of People First Language in the      ONTP**  
**Maine Revised Statutes and to Authorize Administrative**  
**Implementation of Associated Changes in Terminology**

<b>SPONSOR(S)</b>	<b>COMMITTEE REPORT</b>	<b>AMENDMENTS ADOPTED</b>
RYDELL BRANNIGAN AULT	ONTP	

**SUMMARY**

This bill would have amended numerous terms in statute which relate to people who are incapacitated or who have disabilities to use people first terminology. The bill would have also established a mechanism to incorporate the changed terms into existing law and to disseminate them to users of the laws.