

# MAINE STATE LEGISLATURE

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STATE OF MAINE  
115TH LEGISLATURE

FIRST REGULAR SESSION  
AND  
FIRST SPECIAL SESSION

BILL SUMMARIES  
JOINT STANDING COMMITTEE  
ON  
STATE AND LOCAL GOVERNMENT

AUGUST 1991

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**ONE HUNDRED AND FIFTEENTH LEGISLATURE  
FIRST REGULAR SESSION  
AND  
FIRST SPECIAL SESSION  
JOINT STANDING COMMITTEE  
BILL SUMMARIES  
AUGUST 1991**

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 right of the title. Various types of final action are abbreviated as follows:

<b>PUBLIC XXX</b>	<i>Chapter # of enacted Public Law</i>
<b>P&amp;S XXX</b>	<i>Chapter # of enacted Private &amp; Special Law</i>
<b>RESOLVE XXX</b>	<i>Chapter # of enacted Resolve</i>
<b>CON RES XXX</b>	<i>Chapter # of Constitutional Resolution passed by both Houses</i>
<b>EMERGENCY</b>	<i>Enacted law takes effect sooner than 90 days</i>
<b>CARRIED OVER</b>	<i>Bill carried over to 2nd Session</i>
<b>FAILED EMERGENCY ENACTMENT</b>	<i>Bill failed to get 2/3 vote</i>
<b>ONTP</b>	<i>Ought Not to Pass report accepted</i>
<b>LVWD</b>	<i>Leave to Withdraw report accepted</i>
<b>INDEF PP</b>	<i>Bill Indefinitely Postponed</i>
<b>DIED BETWEEN BODIES</b>	<i>House &amp; Senate disagree; bill died</i>
<b>VETO SUSTAINED</b>	<i>Legislature failed to override Governor's Veto</i>
<b>UNSIGNED</b>	<i>Not signed by Governor within 10 days</i>
<b>DIED ON ADJOURNMENT</b>	<i>Action incomplete when 1st session ended</i>

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, and especially Laurette Knox who coordinated preparation of the overall document.

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

**LD 1887      Resolve, to Override a Departmental Rule Imposing Certain  
ASHRAE Standards on Local School Districts**

**CARRIED OVER**

<b>SPONSOR(S)</b>	<b>COMMITTEE REPORT</b>	<b>AMENDMENTS ADOPTED</b>
FOSS REED G MACBRIDE FOSTER		

**SUMMARY**

This resolve would have overruled a departmental rule that imposes ASHRAE air quality and ventilation standards on new public school construction. This resolve was carried over to the second session of the Legislature.

**LD 1889      An Act to Establish the Maine Committee on Aging within the  
Department of Human Services and to Establish the Office of  
the Long-term Care Ombudsman as an Independent Entity**

**ONTP**

<b>SPONSOR(S)</b>	<b>COMMITTEE REPORT</b>	<b>AMENDMENTS ADOPTED</b>
FOSS GILL	ONTP	

**SUMMARY**

This bill would have established the Maine Committee on Aging within the Department of Human Services and the Office of the Long-term Care Ombudsman as an independent entity.

**LD 1894      An Act to Alter the Composition of the Commission on  
Governmental Ethics and Election Practices**

**DIED BETWEEN  
BODIES**

<b>SPONSOR(S)</b>	<b>COMMITTEE REPORT</b>	<b>AMENDMENTS ADOPTED</b>
WEBSTER	ONTP      MAJ OTP      MIN	

**SUMMARY**

This bill would have increased the number of members on the Commission on Governmental Ethics and Election Practices from 7 to 8 and restructured the process for appointments to the commission.

**LD 1915      An Act to Reorganize the Management and Regulatory Functions  
of State Government Pertaining to Natural Resources**

**DIED BETWEEN  
BODIES**

<b>SPONSOR(S)</b>	<b>COMMITTEE REPORT</b>	<b>AMENDMENTS ADOPTED</b>
PRAY GWADOSKY LARRIVEE BERUBE	ONTP      MAJ OTP-AM      MIN	

**SUMMARY**

This bill would have created a new Department of Natural Resources. The new department consolidated those portions of State Government that exercise regulatory and management jurisdiction over the State's natural resources. The purpose of this consolidation was to ensure integrated natural resource policy development and implementation and realize significant efficiencies in both human and financial resources.

Committee Amendment "A" removed the emergency preamble and clause and moved the effective date of the repeal of the existing agencies back one year to July 1, 1993. The amendment charged the Special Select Committee on the Reorganization of Natural Resources Management and Regulation to develop implementing legislation for the establishment of the Department of Natural Resources according to the specific details described in the charge. The membership of the special select committee was changed to 15 Legislators who must also be members of the joint standing committees having jurisdiction over the agencies involved in the reorganization. The immediate appointment of the new commissioner was delayed and the Director of the State Planning Office replaced the commissioner as a cochair of the Technical Advisory Committee on the Formation of the Department of Natural Resources. A total of 12 positions were cut from the Department of Agriculture, Food and Rural Resources, the Department of Conservation, the Department of Environmental Protection and the Department of Inland Fisheries and Wildlife effective October 1, 1991.

**LD 1963      An Act to Implement Constitutional Provisions Restricting      CARRIED OVER**  
**the Imposition of Unfunded State Mandates**

<b>SPONSOR(S)</b> CLARK N CLEVELAND GWADOSKY	<b>COMMITTEE REPORT</b>	<b>AMENDMENTS ADOPTED</b>
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**SUMMARY**

This bill would have provided enabling legislation to implement the provisions of the constitutional amendment proposed by L.D. 66 as amended.

The bill defined some of the terms used in the proposed constitutional amendment; required that if the Legislature reduced any state aid programs it must also suspend or modify existing mandates to allow similar cost savings at the local level; required the State to fund mandates through state funding sources, rather than the authorization of local fees or taxes; and required that if local units of government sell property purchased with funds provided from the State to meet a mandate, the proceeds from the sale must be returned to the State.

The proposed constitutional amendment prohibited the Legislature from amending the statutory provisions of this bill except by a 2/3 vote of all members elected to each House.

The provisions of this bill would take effect only if the voters approved the proposed constitutional amendment.

**LD 1964      Resolve, to Establish the Commission on Recall      CARRIED OVER**

<b>SPONSOR(S)</b> LEMKE CONLEY PARADIS J GAUVREAU	<b>COMMITTEE REPORT</b>	<b>AMENDMENTS ADOPTED</b>
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**SUMMARY**

This resolve was a companion bill to L.D. 1758, which proposed a referendum to the Constitution of Maine that would permit state and county elected officials to be recalled. This resolve would have established a commission to draft enabling legislation if the referendum was approved by the public. The proposed legislation must be passed by 2/3 vote of both Houses of the Legislature before it becomes law.