

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

Staff:

Karen L. Hruby, Legislative Analyst

*Office of Policy and Legal Analysis
Room 101, State House Station 13
Augusta, ME 04333
(207) 289-1670*

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

**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:

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

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

SPONSOR(S) CLARK N CLEVELAND GWADOSKY	COMMITTEE REPORT	AMENDMENTS ADOPTED
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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

SPONSOR(S) LEMKE CONLEY PARADIS J GAUVREAU	COMMITTEE REPORT	AMENDMENTS ADOPTED
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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.