

MAINE STATE LEGISLATURE

The following document is provided by the
LAW AND LEGISLATIVE DIGITAL LIBRARY
at the Maine State Law and Legislative Reference Library
<http://legislature.maine.gov/lawlib>



Reproduced from scanned originals with text recognition applied
(searchable text may contain some errors and/or omissions)

STATE OF MAINE
115TH LEGISLATURE

SECOND REGULAR SESSION

BILL SUMMARIES
JOINT STANDING COMMITTEE
ON
STATE AND LOCAL GOVERNMENT

MAY 1992

Staff:
Karen L. Hruby, Legislative Analyst

*Office of Policy and Legal Analysis
Room 101, State House Station 13
Augusta, ME 04333
(207)287-1670*

MEMBERS:

**Sen. Georgette B. Berube
Sen. Beverly Miner Bustin
Sen. Jerome A. Emerson*

**Rep. Ruth Joseph
Rep. Conrad Heeschen
Rep. Anne M. Larrivee
Rep. Glenith C. Gray
Rep. George J. Kerr
Rep. Merton C. Waterman
Rep. Theone F. Look
Rep. Lawrence F. Nash
Rep. Elmer N. Savage
Rep. Marge Kilkelly*

**Denotes Chair*

IARTHA E. FREEMAN, DIRECTOR
WILLIAM T. GLIDDEN, JR., PRINCIPAL ANALYST
ULIE S. JONES, PRINCIPAL ANALYST
DAVID C. ELLIOTT, PRINCIPAL ANALYST
DON CLARK
YAN M. DYTTER
BRO FLATEBO
EBORAH C. FRIEDMAN
MICHAEL D. HIGGINS
KANE ORBETON



KAREN L. HRUBY
JILL IPPOLITI
JOHN B. KNOX
PATRICK NORTON
MARGARET J. REINSCH
PAUL J. SAUCIER
HAVEN WHITESIDE
MILA M. DWELLEY, RES. ASST.
ROY W. LENARDSON, RES. ASST.
BRET A. PRESTON, RES. ASST.

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
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.

LD 2382 An Act to Create a Somerset County Budget Committee

LV/WD

SPONSOR(S)

ROTONDI
TARDY
GWADOSKY
WEBSTER

COMMITTEE REPORT

LV/WD

AMENDMENTS ADOPTED

SUMMARY

This bill would have created the Somerset County Budget Committee.

LD 2384 An Act to Restructure State Government

UNSIGNED

SPONSOR(S)

PRAY
KERR
MORRISON
BOST

COMMITTEE REPORT

OTP-AM

AMENDMENTS ADOPTED

S-680
S-704 DUTREMBLE D
S-723 ESTES
S-781 BRANNIGAN

SUMMARY

This bill would have enacted a comprehensive restructuring of the agencies and departments that comprise State Government. Certain key changes in law were made in this bill including repeal of certain departments and the enactment of new departments incorporating the reorganized programs. The bill created a commission to oversee the development and implementation of necessary legislation for full realization of the reorganization.

Parts A and B established the Legislature's intent regarding the structure and mission of the Executive Department. The Executive Department was restructured to include the Office of the Governor, the State Planning Office, the Office of Government Operations, the Adjutant General and the Board of Education. The Department of Education was abolished and its peripheral functions transferred to other agencies. The Department of Administrative and Financial Services was converted into the Office of Government Operations. Its responsibilities regarding personnel were repealed and decentralized to enable greater flexibility and initiative among the agencies comprising State Government.

Part C established the Human Rights Court and consolidated civil and human rights responsibilities within the Department of the Attorney General. Advocacy functions and consumer protection responsibilities were also consolidated under the Attorney General.

Part D combined the Department of Corrections with the existing Department of Public Safety. This Part also repealed the Bureau of Intergovernmental Drug Enforcement and reestablished the State Police as the lead drug enforcement arm of the State.

Parts E and F reorganized the programs of State Government related to natural resources. Part E established the Bureau of Lands within the existing Department of Conservation, which was renamed the Department of Conservation and Resource Use. Certain responsibilities of the Department of Environmental Protection were transferred to the new bureau, and it was also made responsible for the initial siting of a publicly owned solid waste disposal facility. The Maine Waste Management Agency was abolished. The department itself was reorganized to assume the responsibilities of the Department of Marine Resources and the Department of Inland Fisheries and Wildlife.

Part F abolished the Department of Agriculture, Food and Rural Resources and redistributed its

responsibilities to other agencies including the new Department of Labor and Commerce, the Department of Health and Developmental Services, the Department of Conservation and Resource Use and the Department of Environmental Protection.

Part G charged the Commission on the Reorganization of State Government with preparing the legislation needed to reorganize health, social and developmental services into 2 new departments.

Part H required the Department of Mental Health and Mental Retardation to close Pineland Center and the Augusta Mental Health Institute by January 1, 1998 and January 1, 1996 respectively. Discharge plans were required for all residents of those facilities prior to their discharge.

Part I provided for a comprehensive reform of the State's welfare system.

Part J created a new department in State Government called the Department of Labor and Commerce. It abolished the Department of Labor, the Department of Economic and Community Development and the Department of Professional and Financial Regulation. The department would have assumed all the duties and functions of the Department of Labor and the Department of Professional and Financial Regulation and the duties and functions of the Business Division of the Department of Economic and Community Development. Additional commissions, boards and independent agencies are also added to the new department.

Part K repealed the references in the salary laws to agencies and positions that were abolished in this bill effective July 1, 1993.

Part L established the Commission on the Reorganization of State Government to oversee the development and implementation of legislation for the structural changes made in this bill. This Part provided a detailed charge to the committee in each of the areas of major change. The commission was separately directed in this Part to reorganize the functions of the Secretary of State and to study the functions of the State Auditor and that office's relationship to the Legislature.

The committee amendment (S-680) replaced the bill. Part A of the committee amendment established the Department of Children and Families and the Department of Health and Developmental Services. The Commission on the Reorganization of Health, Social and Developmental Services was established with specific guidelines to transfer the services currently provided by the Department of Human Services, the Department of Mental Health and Mental Retardation, the Office of Substance Abuse and the Office of Community Services to these 2 new departments.

Part B of the committee amendment transferred the Division for the Blind and Visually Impaired within the Department of Human Services to the Department of Education, where it was established as a separate bureau, with no increase in administrative, personnel or other costs.

Part C of the committee amendment transferred the programs administered by the State Planning Office to other appropriate existing agencies, established the position of the Director of State Planning in the Governor's office and abolished the State Planning Office.

Part D of the committee amendment removed the direct allocation of General Funds to the Maine World Trade Association and appropriated those funds to the Department of Economic and Community Development. The department was to use the funds to seek, through competitive bid, contracted services to assist Maine businesses in seeking export markets and to assist foreign businesses seeking to do business in cooperation with businesses in this State. To avoid any appearance of a conflict of interest, Part D also provided that no public sector director of the association could receive any form of compensation from the association.

Senate amendment C (S-704) removed all changes made in the Committee Amendment to the Maine World Trade Association.

Senate amendment H (S-723) removed the provisions in the committee amendment that moved the child development services system and the Division of Alcohol and Drug Education Program from the Department of Education to the Department of Children and Families.

Senate amendment H also removed provisions in the committee amendment that established the Bureau for the Blind and Visually Impaired in the Department of Education. The amendment moved the entire Bureau of Rehabilitation, except the Division of Disability Determination Services, from the Department of Human services to the Department of Education. It also directed the Commissioner of Education to submit statutory and budgetary changes necessary for the transition to the 116th Legislature.

Senate amendment I (S-781) removed the appropriation for a legislative commission by providing that commission members serve without compensation and replaced the fiscal note.

LD 2390 An Act to Create an Independent Office of Advocacy for the Purpose of Administrative Efficiency (Reported Pursuant to Public Law 1991, chapter 129) ONTP

SPONSOR(S)	COMMITTEE REPORT	AMENDMENTS ADOPTED
	ONTP	

SUMMARY

This bill would have implemented the recommendations of a minority of the Special Commission on Governmental Restructuring to create of an Office of Advocacy to provide common administrative support to 4 advocacy organizations.

This bill would have established the Office of Advocacy and the Advocacy Board to govern the office. The Advocacy Board would have been composed of the chairs and vice-chairs of the Maine Committee on Aging, the Maine Commission on Mental Health, the Maine Commission for Women and the State Planning and Advisory Council on Developmental Disabilities.

The bill would have re-established the Maine Committee on Aging, the Maine Commission on Mental Health and the Maine Commission for Women and reduced each organization's membership to 7.

The bill also would have provided an effective date for the establishment of the Office of Advocacy and the Advocacy Board.

**LD 2398 An Act to Establish Municipal Cost Components for Unorganized Territory Services to be Rendered in Fiscal Year 1992-93 (Reported Pursuant to MRSA, Title 36, section 1604) P & S 91
EMERGENCY**

SPONSOR(S)	COMMITTEE REPORT	AMENDMENTS ADOPTED
CASHMAN		H-1062 CASHMAN

SUMMARY

This bill established the net municipal cost component for unorganized territory services and reimbursements in fiscal year 1992-93.

House Amendment A (H-1062) made a technical correction and added a fiscal note to the bill. This bill was engrossed without reference.