

MAINE STATE LEGISLATURE

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**STATE OF MAINE
117TH LEGISLATURE**

SECOND REGULAR SESSION

**BILL SUMMARIES
JOINT STANDING COMMITTEE
ON
STATE AND LOCAL GOVERNMENT**

JUNE 1996

MEMBERS:

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Sen. David L. Carpenter

Sen. Susan W. Longley

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**ONE HUNDRED SEVENTEENTH LEGISLATURE
SECOND REGULAR SESSION**

***Summary Of Legislation Before The Joint Standing Committees
June 1996***

We are pleased to provide this summary of bills that were considered by the 15 Joint Standing Committees of the Maine Legislature staffed by this office. The document is a compilation of bill summaries which describe each bill, committee amendments and other relevant amendments, as well as the final action taken on the bill. Also included are statistical summaries of bill activity this Session for the Legislature and each of its joint standing committees.

The document is organized for convenient reference to information on bills handled by the joint standing committees. It is organized alphabetically by committees and within committees by bill (LD) number. The committee report(s), prime sponsor for each bill and the lead co-sponsor(s), if designated, are listed below each bill title. All adopted amendments are listed by paper number. Two indices, a subject index and a numerical index by LD number are provided for easy reference to bills. They are located at the back of the document. A separate publication, History and Final Disposition of Legislative Documents, may also be helpful in providing information on the disposition of bills.

Final action on each bill is noted to the right of the bill title. The abbreviations used for various categories of final action are as follows:

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

Please note the effective date for all non-emergency legislation enacted in the Second Regular Session (unless otherwise specified in a particular law) is July 4, 1996.

Joint Standing Committee on State and Local Government

LD 975

An Act to Establish the Department of Health and Family Services

ONTP

Sponsor(s)
MORRISON

Committee Report
ONTP

Amendments Adopted

LD 975 was carried over from the First Regular Session. The bill proposed to establish the Department of Health and Family Services. The department would have assumed fully the duties of the current Department of Human Services and Department of Mental Health and Mental Retardation. The department would have consisted of 4 bureaus: the Bureau of Child and Family Services, the Bureau of Health, the Bureau of Income Maintenance and the Bureau of Long-term Services. The department would have included the Division of Substance Abuse, bringing into the department the current Office of Substance Abuse.

In Part B LD 975 proposed to transfer from the Department of Human Services and the Department of Mental Health and Mental Retardation to the Department of Health and Family Services all of the expenditures, assets, liabilities, appropriations and allocations, rules, contracts and agreements, records, property and employees of those 2 departments. It would have directed the Revisor of Statutes to make any statutory corrections necessary for consistency of the statutes.

In Part C LD 975 proposed to direct transitional activities concerning the budget and the functions of the departments involved. It would have directed the Joint Standing Committee on Human Resources to submit legislation needed to correct errors and inconsistencies.

In Part D LD 975 proposed to amend the Maine Revised Statutes, Title 5 as required to establish the new department.

In Part E LD 975 proposed to amend the Maine Revised Statutes, Title 22 as required to transfer functions from the Department of Human Services to the Department of Health and Family Services.

In Part F LD 975 proposed to amend the Maine Revised Statutes, Title 34-B as required to transfer functions from the Department of Mental Health and Mental Retardation to the Department of Health and Family Services.

In Part G LD 975 proposed to amend the Maine Revised Statutes, Title 2 as required to establish the Department of Health and Family Services and corrects cross-references in Title 5.

In Part H LD 975 would have corrected cross-references in the Maine Revised Statutes, Title 34-B.

In Part I LD 975 proposed to transfer the Office of Substance Abuse from the Executive Department to the Department of Health and Family Services and would have changed the office's name to the Division of Substance Abuse.

In Parts J and K LD 975 proposed to transfer from the Office of Substance Abuse to the Department of Health and Family Services all of the expenditures, assets, liabilities, appropriations and allocations, rules, contracts and agreements, records, property and employees of that office.

It would have directed the Revisor of Statutes to make any statutory corrections necessary for consistency of the statutes. It would have directed transitional activities concerning the budget and the functions of the departments involved. It would have directed the Joint Standing Committee on Human Resources to submit legislation needed to correct errors and inconsistencies.

LD 1185 An Act to Give the Washington County Legislative ONTP
Delegation a Role in the County Budget Process

<u>Sponsor(s)</u>	<u>Committee Report</u>	<u>Amendments Adopted</u>
BUNKER	ONTP	

LD 1185 was carried over from the First Regular Session. Under current law the Washington County budget is finalized by the county commissioners following input from the county budget advisory committee and the county legislative delegation. LD 1185 proposed to require the county commissioners to present budget recommendations to the county legislative delegation following input from the budget advisory committee. The legislative delegation would have had final authority for approval of the county budget.

LD 1213 An Act to Implement the Recommendations of the Special ONTP
Commission on Governmental Restructuring

<u>Sponsor(s)</u>	<u>Committee Report</u>	<u>Amendments Adopted</u>
AMERO	ONTP	

LD 1213 contains the recommendations of the Special Commission on Governmental Restructuring and was carried over from the First Regular Session.

Part A of the bill proposed to implement the recommendations of the majority of the Special Commission on Governmental Restructuring regarding the creation of an Office of Advocacy to replace several existing advocacy organizations. The commission's report contains a minority view on this issue.

Part B of the bill proposed to establish the 8-member Public Education Strategic Planning Council. The members of the council would have been the Chancellor of the University of Maine System, the President of the Maine Technical College System, the President of the Maine Maritime Academy, the Commissioner of Education, one person from each of the boards of trustees of the University of Maine System, the Maine Technical College System and the Maine Maritime Academy and one person who is a member of the State Board of Education. The purpose of the council would have been to create and maintain a long-term strategic plan for public education in the State and make related funding and policy recommendations to the Legislature.

Part C of the bill proposed to reorganize the Department of Environmental Protection along functional lines, reducing the size of the Board of Environmental Protection from 10 members to 3 members and limiting the board's authority to hearing appeals of the license decisions of the Commissioner of Environmental Protection. All other duties formerly vested in the board, including all rule-making activities, all licensing functions and the authority to modify, revoke or