

MAINE STATE LEGISLATURE

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STATE OF MAINE
117TH LEGISLATURE

FIRST REGULAR SESSION

BILL SUMMARIES
JOINT STANDING COMMITTEE
ON
STATE AND LOCAL GOVERNMENT

AUGUST 1995

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**ONE HUNDRED AND SEVENTEENTH LEGISLATURE
FIRST REGULAR SESSION**

**SUMMARY OF LEGISLATION BEFORE
THE JOINT STANDING COMMITTEES**

AUGUST 1995

This document is a compilation of the bill summaries prepared by this office for the Joint Standing 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. The publication, History and Final Disposition of Legislative Documents, is helpful in determining to which committee any particular bill was referred.

In this document, the committee report or reports, the prime sponsor for each bill and the lead co-sponsor in each house if one has been designated are listed below each bill title. All adopted amendments are listed, by paper number, together with the sponsor for floor amendments. Final action on each bill is listed to the right of the title. Various categories of final action are abbreviated 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 enacted 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>

These summaries were prepared by the analyst or analysts assigned to the committee. If more detailed information is needed on a bill, contact the committee analyst.

5581LHS

In Part G this bill amends 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 this bill corrects cross-references in the Maine Revised Statutes, Title 34-B.

In Part I this bill transfers the Office of Substance Abuse from the Executive Department to the Department of Health and Family Services and changes the office's name to the Division of Substance Abuse.

In Parts J and K this bill transfers 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 directs the Revisor of Statutes to make any statutory corrections necessary for consistency of the statutes. It directs transitional activities concerning the budget and the functions of the departments involved. It directs the Joint Standing Committee on Human Resources to submit legislation needed to correct errors and inconsistencies.

LD 987 **Resolve, Renaming a Cove in the Town of Friendship** RESOLVE 19

SPONSOR(S)	COMMITTEE REPORT	AMENDMENTS ADOPTED
PINGREE	OTP-AM	S-179

SUMMARY

This resolve renames coves in the towns of St. George, Cushing and Friendship.

COMMITTEE AMENDMENT "A" (S-179) replaces the bill and removes 4 of the sections of the resolve that renamed coves in St. George, Cushing and Friendship. The only remaining section is the naming of a cove in Friendship.

LD 994 **An Act to Require State Agencies to Prepare Impact Statements** ONTP

SPONSOR(S)	COMMITTEE REPORT	AMENDMENTS ADOPTED
BUSTIN	ONTP	

SUMMARY

The purpose of this bill is to establish impact measurement, evaluation and reporting to serve as a foundation for enabling the Legislature to judge the relative value of any program or service. The bill requires all state agencies to prepare impact statements for the purpose of evaluating the extent to which the agencies' programs and services are achieving their goals and the efficiency of state agencies in conducting their programs and services. The bill requires agencies to submit the impact statements to the Governor. The Department of Audit is required to develop criteria to be used by agencies to conduct evaluations and a system for compiling the information required for the evaluations and to audit the impact statements.

LD 1018 **An Act to Prohibit the Expenditure of Public Funds to Challenge the Adoption or Amendment of a Municipal Charter** ONTP

SPONSOR(S)	COMMITTEE REPORT	AMENDMENTS ADOPTED
CHICK	ONTP	

SUMMARY

This bill prohibits the use of public funds by municipal officers to challenge the validity of a municipal charter, any provision of the charter or any amendment or revision of the charter.

LD 1026 **An Act to Amend the Laws Dealing with Municipalities Having the Option of Inspecting Buildings** ONTP

SPONSOR(S) **COMMITTEE REPORT** **AMENDMENTS ADOPTED**
STEDMAN ONTP

SUMMARY

This bill requires all towns to appoint an inspector of buildings. Currently it is only required in towns of 2,000 or more inhabitants and is optional for towns with fewer than 2,000 habitants.

LD 1095 **An Act to Provide Equal Political Rights for Classified State Employees** DIED BETWEEN BODIES

SPONSOR(S) **COMMITTEE REPORT** **AMENDMENTS ADOPTED**
RUHLIN OTP-AM A
HATCH OTP-AM B

SUMMARY

This bill expands and details the prohibitions on political activity for classified state employees. The bill also removes the restrictions on classified state employees relating to fund raising and political contributions on nonwork time when no conflict of interest exists. The bill is intended to parallel federal legislation enacted in 1993 removing these restrictions from most federal employees.

LD 1096 **An Act to Amend the Law Governing Municipal Zoning with Respect to Community Living Arrangements** PUBLIC 212

SPONSOR(S) **COMMITTEE REPORT** **AMENDMENTS ADOPTED**
BUSTIN OTP-AM S-150

SUMMARY

This bill amends the current law governing municipal zoning by allowing a local zoning board to grant a zoning variance for persons with disabilities who use the property, instead of limiting the variance to persons with disabilities living on the property. The bill also repeals the requirement of a municipality to hold a public hearing prior to approval of a community living facility.

COMMITTEE AMENDMENT "A" (S-150) replaces the original bill. The amendment clarifies that variances for accessibility purposes are limited to the dwelling and for a person who resides in or regularly uses the dwelling. Section 2 of the bill is removed, which would have repealed the public hearing requirement prior to approval of a community living facility.

LD 1107 **An Act to Establish Minimum Qualifications for the Office of Sheriff** PUBLIC 156

SPONSOR(S) **COMMITTEE REPORT** **AMENDMENTS ADOPTED**
BUNKER OTP