

# 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**

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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 &amp; 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&amp;S XXX</i> .....	<i>Chapter # of enacted Private &amp; 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.

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 Delegation a Role in the County Budget Process**      ONTP

<u>Sponsor(s)</u> BUNKER	<u>Committee Report</u> ONTP	<u>Amendments Adopted</u>
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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 Commission on Governmental Restructuring**      ONTP

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

suspend licenses would have been assumed by the commissioner. Part C would have made an appeal to the board a prerequisite for the filing of a judicial appeal.

Part D of the bill proposed to require the Director of the Bureau of Information Services to ensure that standards for the acquisition of data processing and telecommunications equipment by state agencies optimize the electronic exchange of information and promote interagency telecommunications. Part D also would have directed the Bureau of General Services, within the Department of Administrative and Financial Services, to develop a plan for the cost-effective consolidation of state-owned facilities using a model that incorporated assessment of cost advantages of owning versus leasing.

Part E of the bill proposed to establish the Maine Cultural Foundation as a nonprofit corporation for the purpose of supporting the State's cultural heritage.

**LD 1443      An Act to Identify New Federal Mandates      PUBLIC 591**

Sponsor(s)  
GERRY

Committee Report  
OTP-AM

Amendments Adopted  
H-775

LD 1443 was carried over from the First Regular Session. The bill proposed to create a mechanism in which agencies in State Government would be required to identify and assess the impact of any federally mandated program and identify those provisions inconsistent with state laws. It also would have required that a state agency consider the cost of the mandate as well as the impact on the State's citizens when developing policies in response to a federal mandate.

**Committee Amendment "A" (H-775)** replaced the original bill. The amendment would have required every agency and department of the State to submit to the State Budget Officer a list of any new laws, new regulations or other actions that may require the State to comply with any federal mandate. The State Budget Officer would be required to provide a compiled list of new federal mandates to the Legislature by January 1st of each year. The amendment also would have added a fiscal note.

***Enacted law summary***

Public Law 1995, chapter 591 was enacted as proposed by Committee Amendment A. The law requires every agency and department of the State to submit to the State Budget Officer a list of any new laws, new regulations or other actions that may require the State to comply with any federal mandate. The State Budget Officer is required to provide a compiled list of new federal mandates to the Legislature by January 1st of each year. The amendment also adds a fiscal note.

**LD 1566      An Act to Reform the Kennebec County Budget Process      ONTP**

Sponsor(s)  
MITCHELL EH

Committee Report  
ONTP

Amendments Adopted

LD 1566 was carried over from the First Regular Session. The bill proposed to change the budget process in Kennebec County by removing the requirement that the budget be submitted to the Legislature for approval and by allowing the county commissioners to change the budget submitted by the budget advisory committee, but only by a unanimous vote. The bill would have