

# 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 &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 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

8. It has additional provisions relating to state employee conflicts of interest; giving first option on purchase of state recreational lands to municipalities; requiring the Departments of Human Services and of Mental Health and Mental Retardation to adopt additional rules concerning contracts for the provision of human services; and establishing a study commission to report back with an evaluation of public and private provision of human services in Maine.

**LD 1369**      **An Act to Amend the Law to Reflect Recent Changes in the Joint Rules**      ONTP

<b>SPONSOR(S)</b>	<b>COMMITTEE REPORT</b>	<b>AMENDMENTS ADOPTED</b>
BUTLAND	ONTP	

**SUMMARY**

This bill amends the State Government Evaluation and Justification Act to make the law consistent with recent changes in the Joint Rules of the 117th Legislature. The functions previously performed by the Joint Standing Committee on Audit and Program Review, which has been eliminated, are redistributed between the Joint Standing Committee on Appropriations and Financial Affairs and the appropriate policy committee of the Legislature. (See related bill, LD 1348)

**LD 1375**      **An Act to Repeal the Law Regarding Access to Property via Abandoned Roads**      PUBLIC 244

<b>SPONSOR(S)</b>	<b>COMMITTEE REPORT</b>	<b>AMENDMENTS ADOPTED</b>
JONES K	OTP-AM	H-276

**SUMMARY**

This bill repeals the law establishing a special hearing procedure within the judicial department for cases involving landlocked property created by public ways abandoned before September 3, 1965.

COMMITTEE AMENDMENT "A" (H-276) adds a fiscal note to the bill.

**LD 1376**      **An Act to Make Any Recorded Tapes of Legislative Sessions or Legislative Hearings Public Information**      ONTP

<b>SPONSOR(S)</b>	<b>COMMITTEE REPORT</b>		<b>AMENDMENTS ADOPTED</b>
GERRY	ONTP	MAJ	
	OTP-AM	MIN	

**SUMMARY**

This bill prohibits the alteration of any written or recorded material from the Senate, the House of Representatives, confirmation hearings or legislative hearings. The bill also requires that the original records be available for public inspection.

**LD 1383**      **An Act to Establish Periodic Adjustments in the Mileage Reimbursements**      PUBLIC 246

<b>SPONSOR(S)</b>	<b>COMMITTEE REPORT</b>	<b>AMENDMENTS ADOPTED</b>
DAGGETT	OTP-AM	H-291

**SUMMARY**

This bill increases the mileage reimbursement rate for state employees, officers and officials not subject to an agreement between the State and a bargaining agent to 28¢ per mile effective January 1, 1996. This bill also establishes a process for a biennial review of the mileage reimbursement rate to ensure it reflects the cost to operate an automobile. Finally, the bill allows a community agency to set a higher reimbursement rate if the money comes from a nonstate source and the reimbursement rate does not exceed limits set by the nonstate funding source.

COMMITTEE AMENDMENT "A" (H-291) replaces the original bill. The amendment references community action agencies in a list of groups that are defined as exceptions to the term "agency." The amendment has the effect of allowing the community action agencies to have the flexibility to request a higher mileage reimbursement rate. The amendment also adds the necessary fiscal note.

**LD 1384 An Act to Increase the Efficiency of Cumberland County Government Operations**

INDEF PP

<b>SPONSOR(S)</b>	<b>COMMITTEE REPORT</b>	<b>AMENDMENTS ADOPTED</b>
BRENNAN	ONTP MAJ	
	OTP-AM MIN	

**SUMMARY**

This bill restructures Cumberland County government, establishing in place of the current structure a county manager form of government and a 5-member board of county commissioners. The county is reapportioned into 5 county commissioner districts. New commissioners to be chosen at a special election in November 1995 take office January 1, 1996. The bill establishes the position of Cumberland County Manager. The county manager is hired by the county commissioners and works under the direction of the county commissioners in executing the policy directives of the commissioners and managing the day-to-day operations of county government. The county manager is responsible for the tasks commonly performed by the county clerk, county treasurer and register of deeds. With input from the commissioners, the manager annually prepares the proposed county budget for approval of the commissioners. The positions of Cumberland County Treasurer and Cumberland County Register of Deeds are eliminated following expiration of their current terms of office. The Cumberland County Budget Advisory Committee continues in existence with expanded membership to reflect the increase in the number of county commissioner districts. (LD 418 is a related bill.)

**LD 1395 An Act to Provide for Sunset Review by the Legislative Joint Standing Committee of Jurisdiction**

ONTP

<b>SPONSOR(S)</b>	<b>COMMITTEE REPORT</b>	<b>AMENDMENTS ADOPTED</b>
JOY	ONTP	

**SUMMARY**

This bill amends the State Government Evaluation and Justification Act. It retains the current standards and schedule for sunset review of agencies but requires the legislative committees of jurisdiction to perform the review rather than the recently abolished Audit and Program Review Committee. The bill also calls for automatic termination of agencies subject to review within one year unless continued by legislation approved by a 2/3 vote of both houses. A grace period of up to one year is established for agencies to wrap up their activities before termination. (See related bill, LD 1348)