

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. 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.

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

changed the terms of the Kennebec County commissioners to unstagged 2-year terms. The bill also required tax bills issued in Kennebec County to state the portion of taxes being raised by the municipality for Kennebec County and the names of the Kennebec County commissioners.

LD 1570 An Act to Establish a User Fee System for Towns Requiring Sheriff's Services ONTP

<u>Sponsor(s)</u>	<u>Committee Report</u>		<u>Amendments Adopted</u>
OTT	ONTP	MAJ	
	OTP-AM	MIN	

LD 1570 proposed to make the following changes to laws regarding the cost of county government and was carried over from the First Regular Session.

1. It would have permitted county commissioners to charge user fees to municipalities for the cost of law enforcement functions.
2. It would have provided that if the county commissioners of York County assess such user fees, then the municipalities that use law enforcement functions must pay 60% of the cost to the county for providing these functions, apportioned among these municipalities on a per-capita basis and the balance must be funded by the general county tax on all municipalities.
3. It would have clarified that existing law permits county commissioners to assess a municipality for communications services related to dispatching county police services in that municipality.
4. It would have given county commissioners authority to assess a municipality a fee for the capital costs of communications equipment.
5. It would have given the county commissioners of York County authority to collect from a municipality fees for booking and pretrial detention costs at the county jail for arrestees from that municipality.
6. It would have allowed a municipality to recover these booking and pretrial detention costs from the arrested person if that person is convicted of any criminal offense related to the arrest. The bill provided that the sentencing court assess as part of the sentence a reimbursement fee to cover a municipality's costs under this bill unless the court determines that the person does not have the ability to pay. It also provided that if a person is assessed this fee and does not pay, that person's license or permit to operate a motor vehicle in this State must be suspended.

Committee Amendment "A" (H-780) would have replaced the bill. It proposed to authorize York County, through the county charter process, to adopt an alternative method of funding the cost of county services that is based, in whole or in part, on the collection of user fees. The amendment applied only to York County. (Not adopted)