

# MAINE STATE LEGISLATURE

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**STATE OF MAINE  
117TH LEGISLATURE**

**1ST SPECIAL SESSION**

**(NOVEMBER 28TH TO DECEMBER 1, 1995)**

**BILL SUMMARIES  
JOINT STANDING COMMITTEES**

**JUNE 1996**

[No explanatory list was initially provided with the 1st Special Session bill summaries. This list is based on similar examples]



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**ONE HUNDRED SEVENTEENTH LEGISLATURE**  
**FIRST SPECIAL 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:

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

Please note the effective date for all non-emergency legislation enacted in the First Special Session (unless otherwise specified in a particular law) is March 1, 1996.

**Senate Amendment "A" (S-416)** removes the emergency preamble and the emergency clause from the bill.

***Enacted law summary***

Public Law 1995, chapter 504 makes supplemental allocations from the Highway Fund, the Federal Expenditure Fund and the Highway Garage Fund. It clarifies the assignment of aeronautic functions within the Department of Transportation; abolishes the Bureau of Transportation Services; and authorizes the issuance of up to \$40,000,000 in special obligation bonds of the Maine Turnpike Authority to provide funds to the Department of Transportation for projects that are determined to bear a sufficient relationship to travelers on the turnpike. These bonds would be secured by not more than \$4,700,000 of the annual revenues of the turnpike that would be deducted from the operating surplus of the authority that previously has been provided to the department. The bonds must be issued no later than June 30, 1997. Chapter 504 clarifies the process by which the Department of Transportation and the Maine Turnpike Authority determine projects eligible for funding from this source. Chapter 504 also adds a section of unallocated law providing that the requirements of the Maine Revised Statutes, Title 23, section 1974, former subsection 4 dealing with the transfer of revenues from the turnpike to the department, are reflected in Title 23, section 1974, subsection 6 for purposes of any resolution initially adopted prior to the repeal of subsection 4. It also makes technical changes to the bill.

**LD 1588**

**An Act to Clarify the Referendum Recount Process**

PUBLIC 506  
EMERGENCY

Sponsor(s)  
NADEAU

Committee Report  
OTP-AM    MAJ  
ONTP        MIN

Amendments Adopted  
H-669

LD 1588 was referred to the Joint Standing Committee on Legal and Veterans' Affairs and proposed to establish the procedure for a statewide referendum recount. Current law governs how a statewide referendum recount is to be requested, but not how it is to be conducted. The procedure outlined in this bill provides for a process that allows scrutiny of ballots for which the intent of the voter is unclear or for which the eligibility of the voter to cast the ballot has been challenged.

**Committee Amendment "A" (H-669)**, which is the majority, proposed to strike and replace the substance of the bill. Under this amendment, the Secretary of State was required to conduct statewide referendum recounts using the same process as required for candidate recounts.

This amendment specified that the process applies to pending recount requests.

This amendment directed the Joint Standing Committee on Legal and Veterans Affairs to report out legislation to the Second Regular Session of the 117th Legislature related to the recount process for referendum questions.

This amendment also adds a fiscal note.

***Enacted law summary***

Public Law 1995, chapter 506 requires the Secretary of State to conduct statewide referendum recounts using the same process as required for candidate recounts. It specifies that the process

applies to pending recount requests. Chapter 506 directs the Joint Standing Committee on Legal and Veterans Affairs to report out legislation to the Second Regular Session of the 117th Legislature related to the recount process for referendum questions. The law was enacted as an emergency measure effective December 7, 1995.

**LD 1589      An Act to Implement the Recommendations of the Productivity Realization Task Force      PUBLIC 502  
EMERGENCY**

<u>Sponsor(s)</u>	<u>Committee Report</u>	<u>Amendments Adopted</u>
	OTP-AM    MAJ	H-657
	OTP-AM    MIN	H-660
		H-663
		H-664
		H-665
		H-668
		H-675
		H-676
		S-410
		S-411

LD 1589 was referred to the Joint Standing Committee on Appropriations and Financial Affairs. The bill proposed to implement the first round of recommendations of the Productivity Realization Task Force. The bill was 187 pages and contained numerous provisions, most of which were adopted. Additionally, 23 amendments were proposed, 10 of which were adopted. The enacted law is summarized below.

***Enacted law summary***

Public Law 1995, chapter 502 implements the first round of recommendations of the Productivity Realization Task Force. The law is designed to achieve savings during the 117th biennium. Chapter 502:

1. Makes supplemental appropriations from the General Fund and supplemental allocations from various dedicated funds for the biennium to implement recommendations of the task force.
2. Reorganizes the Department of Agriculture, Food and Rural Resources and establishes the Maine Potato Board as an independent public instrumentality separate from the department.
3. Reduces the number of regional service delivery areas in the Department of Human Services from 5 to 3.
4. Changes the Division of Public Health Nursing to the Public Health Nursing Program.
5. Repeals the Division of Dental Health.
6. Combines the Office of Child Care Coordination with Head Start and creates a new office called the Office of Child Care and Head Start. It also transfers the Office of Child Care and Head Start from the jurisdiction of the Bureau of Child and Family Services to the Division of Purchased and Support Services.