

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

MEMBERS:

Sen. Jane A. Amero, Chair

Sen. David L. Carpenter

Sen. Susan W. Longley

Rep. Beverly C. Daggett, Chair

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Rep. William Lemke

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Rep. Christine R. Savage

Rep. Belinda A. Gerry

Staff:

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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.

House Amendment "C" (H-916) proposed to strike from the bill provisions concerning appointments to fill vacancies in the office of sheriff, leaving the law regarding vacancies in the office of sheriff as it currently exists.

Enacted law summary

Public Law 1995, chapter 683 establishes a consistent treatment in the filling of vacancies caused by death, resignation, removal from the county and permanent incapacity in the offices of judge of probate, register of probate, county commissioner, county treasurer and register of deeds. The Governor appoints a replacement until the next general election. Chapter 683 also defines the term permanent incapacity.

LD 1701 **An Act to Reduce the Number of Legislative Confirmation Hearings** PUBLIC 519

<u>Sponsor(s)</u>	<u>Committee Report</u>	<u>Amendments Adopted</u>
DAGGETT	OTP-AM	H-699

LD 1701 proposed to reduce the number of legislative confirmation hearings by removing the confirmation requirement for various boards and commissions. In addition it proposed to replace a reference to the Maine Commission for Women in the Maine Commission on Domestic Abuse.

Committee Amendment "A" (H-699) proposed to remove the Land for Maine's Future Board, the Loring Development Authority of Maine, the Marine Resources Advisory Council, the Inland Fisheries and Wildlife Advisory Council and the Real Estate Commission from the bill. The entities would have continued to be subject to legislative confirmation. The amendment also would have added a fiscal note to the bill.

Enacted law summary

Public Law 1995, chapter 519 removes the requirement for legislative confirmation from the following boards and commissions: Board of Directors of the Maine Education and Training Export Partnership, Maine Science and Technology Foundation, Adaptive Equipment Loan Program Fund Board, Maine Education Assistance Board, Maine Education Loan Authority, and the chair of the Maine State Cultural Affairs Council.

LD 1723 **Resolve, Authorizing the Sale by the State of a Certain Parcel of Land to Joseph Squeglia** RESOLVE 65

<u>Sponsor(s)</u>	<u>Committee Report</u>	<u>Amendments Adopted</u>
DEXTER	OTP-AM	H-717

LD 1723 would have allowed the State to sell a certain parcel of land to Joseph Squeglia upon payment of back taxes owed.

Committee Amendment "A" (H-717) would have clarified that in addition to back taxes, Mr. Squeglia must also pay interest and other related costs.

Enacted law summary

Resolve 1995, chapter 65 authorizes the State to sell a certain parcel of land to Joseph Squeglia upon payment of back taxes, interest and other related costs owed.

LD 1735 An Act to Clarify the Agency Rule-making Process

PUBLIC 574

Sponsor(s)
AMERO

Committee Report
OTP-AM

Amendments Adopted
S-455

LD 1735 proposed to make changes in the provisions of the Maine Administrative Procedure Act governing legislative review of certain agency rules to:

1. Clarify that the review requirements apply to major substantive rules adopted pursuant to legislative authority enacted after January 1, 1996;
2. Establish that if new rule-making legislation fails to indicate whether a rule is subject to legislative review, the rule is subject to review automatically; and
3. Direct the Secretary of the Senate and the Clerk of the House of Representatives to jointly suggest a committee of reference for each rule to be reviewed by the Legislature and to publish notice of receipt of the rule and the suggested reference in the daily Calendar for action by both chambers.

Committee Amendment "A" (S-455) proposed to remove the requirement in the bill that any new rule not categorized by the Legislature in the authorizing legislation as either "routine technical" or "major substantive" to be automatically considered a major substantive rule and subject to legislative review. The amendment also restored the requirement in current law that 20 copies of a major substantive rule and related materials be initially submitted to the Executive Director of the Legislative Council for distribution to a joint standing committee and so that legislative leadership and nonpartisan staff have notice of pending rule reviews.

Enacted law summary

Public Law 1995, chapter 574 clarifies that the legislative review of agency rules applies to major substantive rules adopted pursuant to legislative authority enacted after January 1, 1996 and provides that rules filed with the Legislature enacted after January 1, 1996 and provides that rules for review be referred to the appropriate joint standing committee in the same manner as bills.

LD 1736 An Act to Amend the Budget Process in Androscoggin County

ONTP

Sponsor(s)
FITZPATRICK

Committee Report
ONTP

Amendments Adopted

LD 1736 proposed to abolish the current Androscoggin County budget committee and replace it with the Androscoggin County Budget Advisory Committee. The bill also would have established a position of Androscoggin County manager.