

MAINE STATE LEGISLATURE

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**STATE OF MAINE
118TH LEGISLATURE**

**FIRST REGULAR SESSION
AND
FIRST SPECIAL SESSION**

**BILL SUMMARIES
JOINT STANDING COMMITTEE
ON
STATE AND LOCAL GOVERNMENT**

JULY 1997

MEMBERS:

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Sen. Jill M. Goldthwait

Sen. James D. Libby

Rep. Douglas J. Ahearne, Chair

Rep. William Lemke

Rep. Lucien A. Dutremble

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Maine State Legislature

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**ONE HUNDRED EIGHTEENTH LEGISLATURE
FIRST REGULAR AND FIRST SPECIAL SESSIONS**

**Summary Of Legislation Before The Joint Standing Committees
August 1997**

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. These bill summaries also are available at the Law and Legislative Reference Library and on the Internet (www.state.me.us/legis/opla).

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 Regular Session*
- CON RES 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 IN CONCURRENCE*.....*One body accepts ONTP report; the other indefinitely postpones the bill*
- DIED ON ADJOURNMENT*.....*Action incomplete when session ended; bill died*
- EMERGENCY*.....*Enacted law takes effect sooner than 90 days*
- FAILED EMERGENCY ENACTMENT/FINAL PASSAGE*.....*Emergency bill failed to get 2/3 vote*
- FAILED ENACTMENT/FINAL PASSAGE*.....*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*
- OTP ND*.....*Committee report Ought To Pass In New Draft*
- OTP ND/NT*.....*Committee report Ought To Pass In New Draft/New Title*
- P&S XXX*.....*Chapter # of enacted Private & Special Law*
- PUBLIC XXX*.....*Chapter # of enacted Public Law*
- RESOLVE XXX*.....*Chapter # of finally passed Resolve*
- UNSIGNED*.....*Bill held by Governor*
- VETO SUSTAINED*.....*Legislature failed to override Governor's Veto*

Please note the effective date for all non-emergency legislation enacted in the First Regular Session (unless otherwise specified in a particular law) is June 26, 1997 and September 19, 1997 for the First Special Session.

David E. Boulter, Director

Offices Located in the State House, Rooms 101/107/135

LD 400

**RESOLUTION, Proposing an Amendment to the Constitution of
Maine to Require That Constitutional Officers Be Appointed by the
Governor**

ONTP

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

LD 400 proposed an amendment to the Constitution of Maine to provide for the appointment by the Governor and confirmation by the Senate and the House of Representatives of the Secretary of State, the Treasurer of State and the Attorney General.

Committee Amendment "A" (S-76) proposed to remove language in the resolution proposing gubernatorial appointment of the Secretary of State and the Treasurer of State, leaving only the Attorney General.

LD 401

**RESOLUTION, Proposing an Amendment to the Constitution of
Maine to Require the Election of the Secretary of State in Statewide
Elections** **DIED IN CONCURRENCE**

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

LD 401 proposed an amendment to the Constitution of Maine to provide for direct popular election of the Secretary of State.

Committee Amendment "A" (S-73) would have added term limits to the Constitution for the Secretary of State.

LD 408

**An Act to Include Operation and Maintenance in the Life-cycle
Costs Analysis Required for Public Improvements**

PUBLIC 541

<u>Sponsor(s)</u>	<u>Committee Report</u>	<u>Amendments Adopted</u>
NUTTING KERR	OTP-AM	S-391 MICHAUD S-62

LD 408 proposed to expand the life-cycle costs analysis required for public improvements to include certain elements of economic analysis in addition to energy costs required under current law. The bill also transfers the responsibility for adopting rules related to life-cycle costs analysis from the Bureau of Public Improvements to the Bureau of General Services.

Committee Amendment "A" (S-62) proposed to add a fiscal note to the bill.

Senate Amendment "A" (S-391) proposed to add a mandate preamble to the bill.

Enacted law summary

Public Law 1997, chapter 541 requires that an economic analysis be conducted as a part of the life cycle costs analysis which is required for any public improvement.

LD 418

An Act to Amend Certain Benefits Offered Legislators

ONTP

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

LD 418 proposed to require that Legislators pay 20% of the premium for health insurance coverage under the State group health plan. The bill also proposed to eliminate the State's contribution for dependent health care coverage and prohibited the State from paying any portion of the Legislators' share of a dental plan.

LD 430

An Act to Clarify the Provisions that Implement Performance Budgeting in State Government

PUBLIC 184

<u>Sponsor(s)</u>	<u>Committee Report</u>	<u>Amendments Adopted</u>
AMERO AHEARNE	OTP-AM MAJ ONTP MIN	S-124

LD 430 proposed to correct technical errors in Public Law 1995, chapter 705. It exempts public instrumentalities, such as the Maine Sardine Council, Lobster Promotion Council, Maine Potato Board, Maine Dairy Promotion Board and Maine Dairy and Nutrition Council, from the strategic planning and performance budgeting requirements; adds a member of the judiciary to the Commission on Performance Budgeting; extends the terms of initial commission members by 6 months; clarifies duties of the commission; clarifies that the chair of the commission may call meetings; clarifies that pilot performance budgets will not be the basis for appropriations or allocations; clarifies that oversight committees will be consulted in the development of joint goals and objectives for the pilot strategic planning by policy areas; clarifies that the State Planning Office will receive copies of agencies' final strategic plans; clarifies that state agencies will be grouped into policy areas; clarifies that the Department of Human Resources is the Department of Human Services and clarifies that "job training" is not a policy area, but a strategy for which joint goals and objectives are to be developed.

Committee Amendment "A" (S-124) clarified which boards and commissions are exempt from the performance budgeting process by specifically referencing them in statute.

Enacted law summary

Public Law 1997, chapter 184 makes a number of technical corrections to the law relating to the Commission on Performance Budgeting and clarifies that certain public instrumentalities are exempt from the strategic planning and performance budgeting requirements.