

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

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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:

<i>CARRIED OVER</i>	<i>Bill carried over to Second Regular 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 IN CONCURRENCE</i>	<i>One body accepts ONTP report; the other indefinitely postpones the bill</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/FINAL PASSAGE</i>	<i>Emergency bill failed to get 2/3 vote</i>
<i>FAILED ENACTMENT/FINAL PASSAGE</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>OTP ND</i>	<i>Committee report Ought To Pass In New Draft</i>
<i>OTP ND/NT</i>	<i>Committee report Ought To Pass In New Draft/New Title</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>Bill held by Governor</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 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 1152 proposed to allow a joint standing committee of the Legislature to employ independent legal counsel, without approval of the Attorney General, if the Legislative Council approved the committee's proposal for employment.

Committee Amendment "A" (H-488) proposed to replace the bill. It would have authorized the Legislative Council to employ legal counsel for a legislative investigating committee, without approval of the Attorney General, if (1) the council believed that representing the committee would place the Department of the Attorney General in a conflict with its representation of persons or entities subject to investigation; and, (2) existing legislative staff could not provide the needed services.

LD 1160 RESOLUTION, Proposing an Amendment to the Constitution of ONTP
Maine to Establish 4-year Terms for Constitutional Officers

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

LD 1160 proposed to amend the Constitution of Maine to establish four-year terms for the Attorney General, the Secretary of State, the Treasurer of State and the State Auditor.

Committee Amendment "A" (H-174) proposed to delete language relating to the State Auditor, since that office is not established in the Constitution and to add a limit of two consecutive terms to each of the constitutional officers.

LD 1169 An Act to Authorize the Annexation of Certain Land by Lake View ONTP
Plantation

<u>Sponsor(s)</u>	<u>Committee Report</u>	<u>Amendments Adopted</u>
HALL	ONTP	

LD 1169 proposed to authorize the annexation by Lake View Plantation of land owned by Albert J. Childs in Township 4, Range 9 NWP in Piscataquis County, subject to referendum.

LD 1173 An Act to Preserve Public Access to Governmental Information PUBLIC 299
through Libraries Regardless of Format or Medium EMERGENCY

<u>Sponsor(s)</u>	<u>Committee Report</u>	<u>Amendments Adopted</u>
TREAT	OTP-AM	S-253

LD 1173 proposed to require state agencies and legislative committees to supply 18 print copies of publications on electronic media, such as CDs or videotapes, as well as 18 copies in the publication medium. It also proposed to require that they provide one print copy of electronically published material, such as material placed on the Internet, to the State Librarian.

Committee Amendment "A" (S-253) replaced the bill. It deletes the requirement from the bill that an agency provide 18 print copies of a publication in electronic format, such as CD or videotape. It continues the requirement that agencies and committees provide one print copy of electronically published materials to the State Librarian, but exempts certain types of materials, such as frequently changing lists and daily reports, from that requirement.

Enacted law summary

Public Law 1997, chapter 299 requires state agencies and legislative committees to provide the State Librarian with 18 copies of electronic format publications, in the electronic format. It also requires them to provide one print copy of electronically published materials, such as materials placed on the Internet, excluding certain lists and reports that are subject to frequent updating. Chapter 299 was enacted as an emergency measure effective May 28, 1997.

LD 1183 An Act to Implement a Sliding Scale Salary Plan for Legislators ONTP

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

LD 1183 proposed to require the Department of Administrative and Financial Services to devise a sliding salary scale for members of the Senate and House of Representatives, and proposed to require that each member submit a financial statement by December 1st in the first year of each biennium.

Committee Amendment "A" (H-327) replaced the original bill and made the sliding scale salary optional for Legislators.

LD 1188 An Act to Amend the Maine Administrative Procedure Act to Clarify the Definition of a Proposed Rule and the State Agencies' Ability to Solicit Input into the Rule Development Process PUBLIC 110

<u>Sponsor(s)</u>	<u>Committee Report</u>	<u>Amendments Adopted</u>
AHEARNE	OTP	
NUTTING		

LD 1188 proposed to clarify what actions an agency may take to gather information on ideas for rules it is considering adopting. The bill defined “proposed rule” as a rule proposal formally submitted to the Secretary of State for publication of notice. Any meetings after that date to discuss the rule must have notice published and opportunity for public participation. Before that date agencies may meet informally with interested persons without advertising or otherwise providing for general public participation.

Enacted law summary

Public Law 1997, chapter 110 clarifies what actions an agency may take to gather information on ideas for rules it is considering adopting. The chapter 110 defines “proposed rule” as a rule proposal formally submitted to the Secretary of State for publication of notice. Any meetings after that date to discuss the rule must have notice