

MAINE STATE LEGISLATURE

The following document is provided by the
LAW AND LEGISLATIVE DIGITAL LIBRARY
at the Maine State Law and Legislative Reference Library
<http://legislature.maine.gov/lawlib>



Reproduced from electronic originals
(may include minor formatting differences from printed original)

**STATE OF MAINE
119TH LEGISLATURE**

FIRST REGULAR SESSION

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

JULY 1999

MEMBERS:

*Sen. Peggy A. Pendleton, Chair
Sen. Jill M. Goldthwait
Sen. Paul T. Davis*

*Rep. Douglas J. Ahearne, Chair
Rep. Martha A. Bagley
Rep. Benjamin L. Rines, Jr.
Rep. John F. McDonough
Rep. Joanne T. Twomey
Rep. Randall L. Bumps
Rep. Susan Kasprzak
Rep. Arlan R. Jodrey
Rep. Earl E. Richardson
Rep. Belinda A. Gerry
Rep. Donald G. Soctomah*

Staff:

*Christopher J. Spruce, Legislative Analyst
Danielle D. Fox, Legislative Analyst*

*Office of Policy and Legal Analysis
Room 101/107/135, 13 State House Station
Augusta, ME 04333
(207)287-1670*



Maine State Legislature
OFFICE OF POLICY AND LEGAL ANALYSIS

13 State House Station, Augusta, Maine 04333-0013
Telephone: (207) 287-1670
Fax: (207) 287-1275

ONE HUNDRED NINETEENTH LEGISLATURE
FIRST REGULAR SESSION

Summary Of Legislation Before The Joint Standing and Select Committees
August 1999

We are pleased to provide this summary of all bills that were considered by the Joint Standing and Select Committees of the Maine Legislature this past session. The document is a compilation of bill summaries which describe each bill and relevant amendments, as well as the final action taken. Also included are statistical summaries of bill activity this session for the Legislature and each of its joint standing and select committees.

The document is organized for convenient reference to information on bills considered by the committees. It is organized 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
ENACTMENT FAILED.....	Bill failed to get vote required for enactment or final passage
NOT PROPERLY BEFORE THE BODY.....	Ruled out of order by the presiding officers; bill died
INDEF PP.....	Bill Indefinitely Postponed
ONT P.....	Ought Not To Pass report accepted
OT P ND.....	Committee report Ought To Pass In New Draft
OT P 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 September 18, 1999.

Sponsor(s)
AHEARNE

Committee Report
OTP-AM

Amendments Adopted
H-364

LD 1705 proposed to clarify that incorporation by reference in the rulemaking process is acceptable as long as the rule fully identifies the incorporated matter and that such matter is readily available to the public.

This bill was submitted on behalf of the Secretary of State.

Committee Amendment "A" (H-364) proposed to reformat the requirements in the original bill and to remove the requirement that incorporation may proceed if printing the incorporated rules within the proposed rules is unduly cumbersome, expensive or inexpedient. It also proposed to delete the requirement that the publisher and the publisher's location be included in the rule citation. The amendment proposed to remove from the bill the requirement that copies of the rule be readily available to the public and would allow the agency incorporating by reference the option of not having the rules available at cost if they are readily available elsewhere. A requirement for agencies to file incorporated material with the Secretary of State would be added by this amendment.

Enacted law summary

Public Law 1999, chapter 261 clarifies that incorporation by reference in the rulemaking process is acceptable as long as the rule fully identifies the incorporated matter and where that matter is available. An agency that incorporates material by reference must submit a copy of that material with the Secretary of State.

Sponsor(s)
AHEARNE
PENDLETON

Committee Report
OTP-AM

Amendments Adopted
H-269

LD 1710 proposed to make changes to the composition of the Executive Department's Information Services Policy Board.

This bill was submitted on behalf of the Department of Administration and Financial Services.

Committee Amendment "A" (H-269) proposed to amend the original bill by adding several sections that contain minor changes to the Maine Revised Statutes, Title 5, sections 1887, 1888, 1890, 1891 and 1893, related to the Bureau of Data Processing and the Information Services Policy Board.

Enacted law summary

Public Law 1999, chapter 165 amends current law governing the membership of the Information Services Policy Board. The law eliminates specific executive agency or board representatives from membership on the board and replaces them with four members appointed by the Governor from any of the executive departments. It also deletes from existing law a requirement that the Governor appoint one member each representing a criminal justice agency and a natural resource agency and two members representing the remainder of state agencies. The new law requires that the Maine State Housing Authority, Maine State Retirement System, Maine Turnpike Authority and Finance Authority of Maine appoint