



# OPLA~Notes

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making judgments or editorializing. We welcome your comments or suggestions.

## Legislative Review of Agency Rules

In 1995, the 117th Legislature amended the Maine Administrative Procedure Act to establish a new process for the review of major rules proposed by state agencies. This legislation, enacted as P.L. 1995, Chapter 463, became effective January 1, 1996, and proposed rules that are subject to the new law began to be filed in January 1997. This new process is designed to provide the Legislature with an opportunity to review major rules proposed by an agency before they become effective. This increased level of review will allow the Legislature to satisfy itself that executive agencies are developing rules to implement provisions of law that are in keeping with the legislative policy direction, are readily understandable and reasonable, and accomplish the objectives stated in the law.

The Legislative review process, found at Title 5 M.R.S.A. §8701 et seq., establishes two categories of rules: routine technical and major substantive. All rules authorized by the Legislature under rule-making authority granted after January 1, 1996 must be assigned to one of these two categories. Routine technical rules do not require any special action by the Legislature, but fall under the normal rule-making process of the Administrative Procedure Act (APA). The APA requires public notice of a proposed rule, an opportunity for public hearing and comment and preparation of a basis statement that is responsive to public comments. Major substantive rules, however, require a higher degree of oversight by the Legislature, and the law establishes the standards for legislative review.

Major substantive rules are subject to legislative review and authorization prior to their final adoption by an agency. They are subject to all the provisions of the

## Newsletter Greetings

Welcome to the second issue of OPLA~Notes, a quarterly publication of the Legislature's nonpartisan Office of Policy and Legal Analysis. In this edition of OPLA~Notes, we discuss the new legislative review process for agency rules, significant court decisions on Maine's Term Limits Law, other state legislatures' term limits provisions, useful Internet sites, strategic planning and interim studies staffed by this office. In keeping with our nonpartisan status, the articles present the issues with a legislative perspective, without

APA up to the point of their adoption by an agency. It is at this stage in the rule-making process that the new legislative oversight mechanism begins. Agencies may adopt major substantive rules *only provisionally*, and when so adopted the rules must be submitted for legislative review. Provisionally adopted rules are not in effect and may not be enforced. Final adoption and implementation of the rules may occur only after review and authorization by the Legislature.

As mentioned previously, rules authorized under rule-making authority granted to agencies before January 1, 1996 are not affected by the requirements of Title 5 M.R.S.A. §8701 et seq. Those rules may continue to be adopted and amended under the standard requirements of the APA. They are treated essentially as routine technical rules.

**What is Considered a Major Substantive Rule?**

Title 5 M.R.S.A. §8071 defines “major substantive rules” as those rules that in the judgment of the Legislature :

- require the exercise of significant agency discretion or interpretation in drafting; or
- due to their subject matter or anticipated impact, are reasonably expected to result in a significant increase in the cost of doing business, a significant reduction in property values, the loss or significant reduction of government benefits or services, the imposition of state mandates on units of local government as defined in the Constitution of Maine, Article IX, Section 21, or other serious burdens on the public or units of local government.

**Process for Legislative Review of Major Substantive Rules**

For an agency’s provisional rule to be reviewed during a legislative session, the agency must submit the rule and its supporting materials at least 45 days before the date established for legislative adjournment. Depending upon the length of the legislative session, a failure to file provisional rules in a timely manner could result in a delay of up to a year before an agency would have a rule reviewed, authorized and finally adopted.

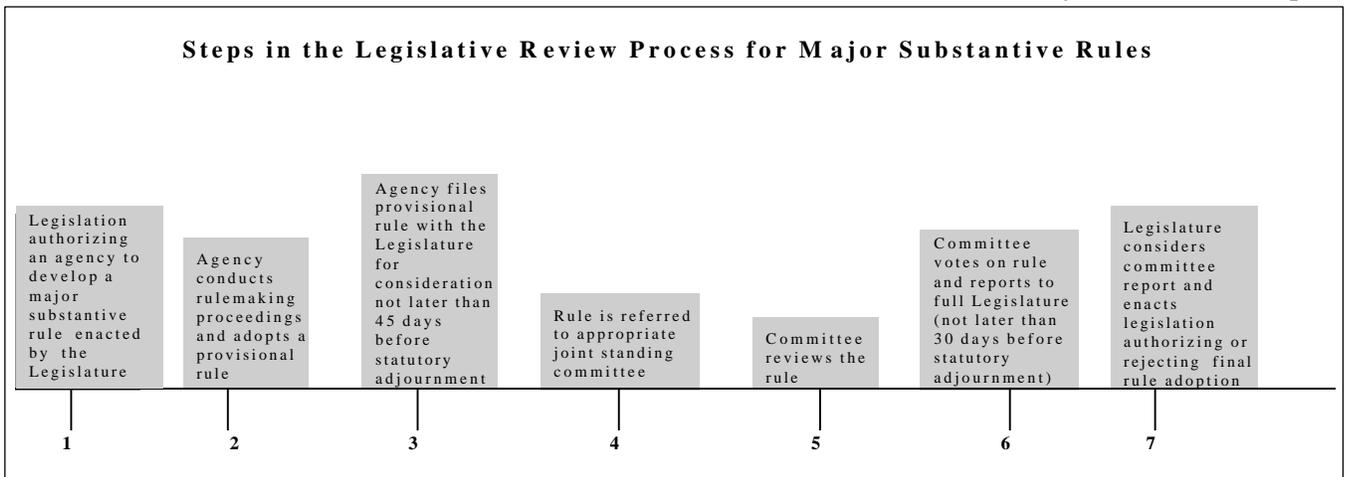
Once a rule and supporting materials are filed with the Legislature, the rule is referred to the joint standing committee having jurisdiction over the policy area related to the rule. The policy committee reviews the proposed rule and makes a recommendation on the rule. The policy committee has until 30 days before statutory adjournment to issue a report to the full legislature.

The Legislature may then enact legislation authorizing all or part of the rule, disapproving it, or authorizing the rule with specified changes. If a provisionally adopted rule is properly filed, but the Legislature fails to act on it, the agency may go forward and adopt the provisional rule. If the Legislature authorizes the rule, the provisional rule must be finally adopted by the agency within 60 days after the effective date of the legislation approving the rule. Adopted rules may take effect no sooner than 30 days after the filing with the Secretary of State. Note: This action by the Legislature does not adopt the rule as law, but merely authorizes an agency to proceed to adopt a rule or make certain changes in a proposed rule before an agency adopts it.

**The Policy Committee’s Role**

Each major substantive rule submitted for legislative review must be reviewed by the appropriate joint standing committee at a public meeting. A committee may review more than one rule and the rules of more than one agency at a meeting. The committee must notify the affected agency of its meeting.

In addition or in conjunction with its public



meeting, the committee may hold a public hearing on the provisional rule. The public hearing must be advertised in the same manner as required for public hearings on proposed legislation under the Legislature's Joint Rule 305.

The committee's review of the provisional rule must include at least a determination of the following:

1. Whether the agency has exceeded its scope of authority in adopting the rule;
2. Whether the provisionally adopted rule is in conformity with the legislative intent of the relevant statutes;
3. Whether the provisionally adopted rule conflicts with any other provision of law or with any other rule adopted by an agency;
4. Whether the provisionally adopted rule is necessary to fully accomplish the objectives of the statute;
5. Whether the provisionally adopted rule is reasonable, especially as it affects the convenience of the general public or of persons particularly affected by it;
6. Whether the provisionally adopted rule could be made less complex or more readily understandable for the general public;
7. Whether the provisionally adopted rule was proposed in compliance with the requirements of this chapter and with the requirements imposed by any other provision or law; and
8. For a rule that is reasonably expected to result in a significant reduction in property values, whether sufficient variance provisions exist in law or in the rule to avoid an unconstitutional taking, and whether, as a matter of policy, the expected reduction is necessary or appropriate for the protection of public health, safety and welfare advanced by the rule.

Committee reports must include necessary legislation and must recommend one of the following:

- A. That the Legislature authorize final adoption of the rule;
- B. That the Legislature authorize final adoption of a specified part of the rule;

C. That the Legislature authorize final adoption of the rule with certain specified amendments; or

D. That the Legislature disapprove final adoption of the rule.

The committee report is in the form of a resolve. The report must include a copy of the rule, the committee's recommendation, the reasons for a recommendation to disapprove or modify the rule and legislation to implement its recommendation. If the Legislature fails to act on a provisional rule before the end of the legislative session in which it is submitted for review, an agency may finally adopt and implement the rule.

If the Legislature authorizes adoption or modification of a major substantive rule, the agency must finally adopt the rule within 60 days of the effective date of the legislation or of adjournment if no legislation is adopted. If finally adopted within 60 days, the rule does not require further rule-making proceedings so long as the final rule reflects the Legislature's decision and is properly filed with the Secretary of State.

**Status of Major Substantive Rules filed in the 118th Legislature, First Regular and First Special Sessions**

To date, there have been eleven provisional rules filed with the 118th Legislature. The following is a list of the rules and the action taken on them to date.

LD	Title of Resolve	Status
1134	Resolve, Regarding Legislative Review of Chapter 21 (21.03), Amendments to License Agent Reporting Requirements (Department of Inland Fisheries and Wildlife)	Enacted, Resolve 15
1135	Resolve, Regarding Legislative Review of Chapter 374, Rules Regarding the Traffic Movement Standard of the Site Location of Development Law (Department of Environmental Protection)	Enacted, Resolve 18
1136	Resolve, Regarding Legislative Review of Chapter 378, Variance Criteria for the Excavation of Rock, Borrow, Topsoil, Clay or Silt and Performance Standards for the Storage of Petroleum Products (Department of Environmental Protection)	Enacted in House and Senate, 5/8/97
1190	Resolve, Regarding Legislative Review of Chapter 840: Private Purchasing Alliances (Department	Enacted, Resolve 14

	of Professional and Financial Regulation, Bureau of Insurance)	
1191	Resolve, Regarding Legislative Review of Chapter 850, Health Plan Accountability (Department of Professional and Financial Regulation)	Enacted, Resolve 13
1252	Resolve, Regarding Legislative Review of Chapter 380: Planning Permit (Department of Environmental Protection)	Enacted House and Senate, 5/8/97
1455	Resolve, Regarding Legislative Review of Chapter 500: Storm-water Management (Department of Environmental Protection)	In NAT Committee
1471	Resolve, Regarding Legislative Review of Chapter 502: Direct Watersheds of Waterbodies Most at Risk from New Development, and Sensitive or Threatened Regions of Watersheds (Department of Environmental Protection)	In NAT Committee
1536	Resolve, Regarding Legislative Review of Chapter 131: Rules for Learning Results (Department of Education)	In EDU Committee
1877	Resolve, Regarding Legislative Review of Chapter 6: Regulations Relating to Coordination and Oversight of Patient Care Services by Unlicensed Health Care Assistive Personnel	Subject to 1998 deadline for Legislative review
1881	Resolve, Regarding Legislative Review of Chapter II, Section 67: Nursing Facilities Services, Maine Medical Assistance Manual	Subject to 1998 deadline for Legislative review

Program Review conducted an orientation session for all legislators on February 13, 1997. This orientation reviewed the general principles of strategic planning, the legal requirements and timeline for implementation, the role of policy committees, and the characteristics of a performance budget.

The performance budgeting law required agencies to file their strategic plans and pilot performance budgets by February 1, 1997. To date, 28 executive agencies and 19 non-executive agencies have prepared their final strategic plans. The policy committees are reviewing agency strategic plans this session.



**LD 430: “An Act to Clarify the Provisions that Implement Performance Budgeting in State Government”**

Legislation was filed this session to amend the performance budgeting law. LD 430, “An Act to Clarify the Provisions that Implement Performance Budgeting in State Government,” was enacted by the House and Senate on May 6, 1997 and signed by the Governor on May 15, 1997. This legislation makes technical amendments to PL 1996, chapter 705, the law that provides the framework for Maine’s performance budgeting process.

The following provides an overview of how LD 430 amends Maine’s performance budgeting process:

**Section 2** of the bill exempts public instrumentalities from the requirements of performance budgeting. These public instrumentalities include the Maine Sardine Council, the Lobster Promotion Council, the Potato Board, the Blueberry Commission, the Dairy Promotion Board and Dairy Nutrition Council.

**Section 4** of the bill adds a member of the Judicial Department to the Commission on Performance Budgeting. It also extends the term of initial commission members by six months. Current members of the commission were appointed in August 1995 and their terms are extended to January 1998.

**Section 5** of the bill clarifies the duties of the Commission on Performance Budgeting. Under the current law, the commission is charged with providing guidance and advice to the Legislature and the Governor regarding performance budgeting in state government. LD 430 adds language that charges the commission with providing guidance and advice on the methods and strategies for implementing performance budgeting.

**Section 6** of the bill adds a provision that the chair of the commission can call meetings. Currently, meetings of the commission can be called only by a majority vote of the commission.



**Update on Strategic Planning**

As was discussed in the previous edition of OPLA~Notes, the Legislature has embarked on a new strategic planning and performance budgeting process designed to improve the direction and operations of state agencies. The law calls for full implementation of performance budgeting by the FY 2000-2001 biennium. Because the legislation provides for policy committees to play a crucial role in reviewing and shaping strategic plans of agencies, members of the Office of Policy and Legal Analysis and the Office of Fiscal and

**Section 7** of the bill clarifies that the State Planning Office is to receive copies of both final strategic plans and pilot budget proposals.

**Section 8** of the bill clarifies that pilot performance budgets will not be the basis for appropriations or allocations. It further clarifies that the pilot budgets would be used for purposes of designing and evaluating the performance budgeting system.

**Section 9** of the bill clarifies that legislative oversight committees be consulted in the development of joint goals and objectives for interagency strategic planning. Under the current law, agencies are required to consult legislative policy committees in the development of their strategic plan. However, there is no language that applies to the interagency selection of policy areas.

**Section 10** of the bill clarifies that "job training" is not a policy area, but a strategy for which joint goals and objectives are to be developed. It requires the Department of Labor, the Department of Education, the Department of Human Services, the Department of Mental Health, Mental Retardation and Substance Abuse Services and the Maine Technical College System to develop common goals and objectives and that they coordinate the development of job training strategies for achieving these goals and objectives.

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### Interpreters for the Deaf and Hard of Hearing

(Teen Griffin, Manager, Legislative Information Office)

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The Legislature has contracted with Pine Tree Society Deaf Services for two interpreters to be available every Tuesday through May 31 for the deaf and hard of hearing while the Legislature is in session. The interpreters are available on Tuesdays from 9 am to 5 p.m. for public hearings, work sessions, individual meetings with legislators and other requests related to legislative business. Arrangements should be made in advance to schedule blocks of time with the interpreters. To schedule times with the interpreters or for further information, call the Legislative Information Office at



## Recent Legal Developments

287-1692.

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## Did You Know?.....



The first ship launched in North America was the *Virginia of Sagadahoc*, which was built in 1608 by members of the Popham Colony living near Popham Beach.



Granite from the state of Maine graces numerous prominent buildings located in our nation's capital, including: the John F. Kennedy Memorial, the Washington Monument, the U.S. State Department, the Library of Congress, the United States Mint, and even the White House. Pink, green, white, and black shades of this magnificent stone can be found within the various regions of Maine.

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### Maine's Term Limits Law Upheld by State and Federal Courts

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In a written decision issued on February 17, 1997, United States District Court for the District of Maine Judge Morton A. Brody rejected the constitutional challenge to the Maine Term Limitation Act of 1993 by the League of Women Voters, the Maine Counsel of Senior Citizens, former State Representative Herb Adams, former Representative Roger Pouliot and four voters. The Act, passed by citizen initiative in a referendum vote in November 1993, limits members of the Legislature and other elected state officials to four consecutive terms in office. The League of Women Voters et al. were seeking to prevent the enforcement of the term limits statute by the Secretary of State and the Attorney General. Deciding that the Act did not violate the First and Fourteenth Amendments to the U.S. Constitution, Judge Brody held the Act is constitutional. The decision follows a September 1996 Maine Supreme Judicial Court decision upholding the Maine Term Limitation Act on state law and constitutional grounds.

#### The Maine Supreme Judicial Court's Decision

In the decision, League of Women Voters v. Secretary of State, the U.S. District Court for the District of

Maine certified the following two questions to the Law Court relating to the state term limits law:

**1. “Under the Maine Constitution, may limits on the number of consecutive terms that may be served by Maine legislators be enacted by legislation or do such limits require an amendment to the Maine Constitution?”**

According to the decision, the Legislature’s power is plenary and subject only to those limits placed on it by the Constitution of Maine and the federal government. The court viewed the initiative process granted under the Maine Constitution as an extension of the Legislature’s plenary power and focused on whether or not the enactment of term limits was a proper exercise of legislative power of Maine people. The court concluded that although the Maine Constitution provides for term limits in the office of Governor and in the past imposed term limits on the office of State Treasurer, there was no “compelling evidence that the Framers of our [Maine] Constitution intended amendment of that document to be the only means of imposing qualifications on those who would serve in the Legislature.” The Court also declined to look at the United States Supreme Court case U.S. Term Limits v. Thornton, 115 S.Ct 1842 (1995), that held that the U.S. Constitution is the exclusive source of qualifications for Congressional office. In that case, the Supreme Court’s analysis concerned the history of the U.S. Constitution and the Framers’ intent to ensure that federal elections be uniform throughout the states. Finding that the need for uniformity was not present in the statewide elections, the Maine Law Court declined to apply the Supreme Court’s analysis in Thornton.

**2. “Do the provisions of 21-A M.R.S.A. §§ 553-54, Limitation of Terms, disqualify legislators who are currently serving the last of four or more consecutive terms from appearing on the ballot in the 1996 election and from serving in the Legislature during 1997 and 1998?”**

In looking at the legislative history, particularly the Transition Statement that accompanied the bill on the ballot, the court concluded that these statements supported the reading of the provision that the term limits were intended to apply to legislators serving terms at the time of enactment.

**The U.S. District Court’s Decision**

Since the Law Court determined the state law matters, the U.S. District Court of Maine was faced with federal constitutional claims that the imposition of Maine’s term limits law violated the First and Fourteenth Amendments. Because the United States Supreme Court has not decided the issue of whether state term limits laws

violate voters’ and lawmakers’ constitutional rights, the court relied on prior judicial precedent evaluating restrictions on voting rights. Recognizing that all election laws impose some burden or limit on voters’ and lawmakers’ right to vote, the court held that the Term Limitation Act did not violate the First and Fourteenth Amendments. Although the court did not take a position on the merits of term limits, it held that the Act served a legitimate regulatory interest. Further, the Act did not unduly restrict the rights of voters under the Constitution since there was no complete prohibition on the election of incumbents to office and the Act made no distinctions among lawmakers on the basis of wealth, party affiliation, race or ideas.

**Term Limit Provisions in Other State Legislatures**

(Information provided by the National Conference of State Legislatures)

**House Members**

State	Year of Impact	Limit in Years
Arizona	2000	8
Arkansas	1998	6
California*	1996	6
Colorado	1998	8
Florida	2000	8
Idaho	2002	8
Louisiana	2007	12
<b>Maine</b>	<b>1996</b>	<b>8</b>
Massachusetts	2002	8
Michigan	1998	6
Missouri	2000	8
Montana	2000	6
Nevada	2006	12
Ohio	2000	8
Oklahoma	2002	12
Oregon	1998	6
South Dakota	2000	8
Utah	2006	12
Washington	1998	6
Wyoming	1998	12

**Senate Members**

State	Year of Impact	Limit in Years
Arizona	2000	8
Arkansas	2002	8
California*	1998	8
Colorado	1998	8
Florida	2002	8
Idaho	2002	8

Louisiana	2007	12
<b>Maine</b>	<b>1996</b>	<b>8</b>
Massachusetts	2002	8
Michigan	2002	8
Missouri	2002	8
Montana	2000	8
Nevada	2008	12
Ohio	2002	8
Oklahoma	2004	12
Oregon	2002	8
South Dakota	2000	8
Utah	2008	12
Washington	2002	8
Wyoming	2006	12

\*Note: On April 23, 1997, a California federal court judge ruled term limits for California lawmakers unconstitutional because California's Proposition 140 went too far by imposing a lifetime ban on lawmakers who had reached their term limits.



### 118th Legislative Session Bill Status

As of May 20, 1997, over 1868 bills have been filed and referred to committee and close to 1845 bills have been completed. It is anticipated that the session will adjourn by the end of May.

## Internet Intersection

The Internet offers a vast array of information which continues to increase on a daily basis. The Internet is a useful resource for government and public policy information, as well as additional topics of interest. The Maine State homepage is accessible on the World Wide Web at (<http://www.state.me.us>) and the Legislature's homepage is accessible at ([www.state.me.us/legis](http://www.state.me.us/legis)). They both offer links to several relevant sites. Useful search engines for Web information, particularly **Altavista** and **Yahoo**, also are located on the Web. An additional source of information regarding Web "browsing" is titled: *A Beginner's Guide to Surfing the Internet* (<http://www.naples.net/~dugast/begin.htm>).



### Policy and Government

**The Council of State Governments:** State government information and access to other useful sites.

<http://www.csg.org>

**State and Local Government, A Library of Congress Internet Resource Page:** Provides indexes for state and local government information, state maps, and other resources including full text of state statutes. This is a very comprehensive site.

<http://lcweb.loc.gov/global/state/>

**Thomas:** Federal legislation from 1973 to present as well as links to other governmental information.

<http://thomas.loc.gov/>

Provides links to "hot" topics in government by subject.

<http://thomas.loc.gov/home/html.arc/hot-subj.html>

**Government Printing Office (GPO):** Access to the Federal Register, Code of Regulations and numerous other GPO publications. Also includes links to various Federal Depository libraries.

<http://thorplus.lib.purdue.edu:8100/gpo/>

**Government Accounting Office:** Provides access to full text of its reports on a variety of topics.

<http://www.gao.gov/>

**U.S. Federal Courts Finder:** Offers a hyper-texted map of Supreme Court, Federal Circuit Court and twelve other circuit courts, along with access to court decisions.

<http://www.law.emory.edu/FEDCTS/>



### Maine State Legislature

Currently provides access to House and Senate member information and weekly reports/legislative record, staff offices, and calendar of events. In the future, it will provide access to bill information.

<http://www.state.me.us/legis>

**Office of Policy & Legal Analysis:** Provides access to Maine Legislative reports, bill summaries, committee jurisdictions, quarterly newsletter, and study commission information.

<http://www.state.me.us/legis/opla>

**Law and Legislative Reference Library:** Provides access to URSUS catalog, collections information, reference information, legislative history instructions and interlibrary loan information. The latest addition includes a list of all the library's periodical holdings and a list of referenda votes since 1910.

<http://www.state.me.us/legis/lawlib>



## Technology

**Government Technology:** Monthly on-line magazine which provides information pertaining to government hardware and software management issues.

<http://www.govtech.net/>

## Newspapers

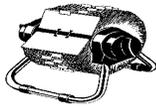


**The Washington Times:** National Weekly Edition of the paper.

<http://www.washtimes-weekly.com/>

**The Boston Globe:** Includes access to New England Region Wire, updated every 30 minutes.

<http://www.boston.com/globe>



## General Interest

**Switchboard:** Locate individuals or businesses, including a map of the site, anywhere in the U.S.

<http://www.switchboard.com/>

## States on the Internet

You can access state legislative information by pointing your Web browser to the Library of Congress' State and Local Government section (see *Internet Intersection* sites). Forty-four states currently have at least some combination of legislative information on the Internet.

State 4 states)	Statutes (30 states)	Bill Text/ Status (37 states)	Session Laws (15 states)
AK	Y	Y	Y
AZ	Y	Y	Y
AR	N	Y	Y
CA	Y	Y	Y
CO	Y	Y	Y
CT	Y	N	Y
DE	N	Y	N
FL	Y	Y	N
GA	Y	Y	N
HI	N	Y	N
ID	Y	Y	N

IL	N	N	N
IN	Y	Y	N
IA	Y	Y	N
KS	N	Y	Y
KY	Y	Y	N
LA	N	Y	N
ME	N*	N	N
MD	Y	Y	N
MA	N	Y	N
MI	N	N	N
MN	Y	Y	Y
MS	Y	Y	N
MO	Y	Y	N
MT	Y	Y	N
NE	Y	Y	N
NV	Y	Y	N
NH	N	Y	Y
NJ	Y	Y	N
NM	Y	Y	N
NY	Y	Y	Y
NC	N	Y	N
OH	Y	N	Y
OK	Y	N	N
PA	N	N	Y
RI	Y	Y	Y
SC	N	Y	Y
TN	N	Y	N
TX	Y	Y	N
VT	Y	Y	N
VA	Y	Y	N
WA	Y	Y	N
WI	Y	Y	Y
WY	Y	Y	N

\*Under development



## OPLA PUBLICATIONS

A listing of study reports of legislative committees & commissions categorized by year is available from OPLA. For printed copies of any of these publications, please contact the Office of Policy and Legal Analysis at 13 State House Station, Augusta, Maine 04333 (207-287-1670) stop by Rooms 101/107 of the State House. Legislators & members of the public may request a copy at no charge. Additional copies of the publications are available at nominal cost. In addition, many of the legislative studies staff by OPLA during the 117th Legislature are available on the OPLA website at:

<http://www.state.me.us/legis/opla>



## Interim Studies Completed

The 117th Legislature authorized several studies during its Second Regular Session. Among them were the Commission to Study Poverty Among Working Parents and the Commission on Judicial Compensation. These Commissions completed their studies and issued reports that included recommendations for change.

**The Commission to Study Poverty Among Working Parents** recommended changes in several broad categories. These recommendations resulted in proposed legislation that included the following:

### **Removing Barriers to Work**

- **LD 572** - An Act to Implement Recommendations of the Commission to Study Poverty Among Working Parents Concerning Medicaid Eligibility (status: ONTP)
- **LD 1574** - An Act to Implement Recommendations of the Commission to Study Poverty Among Working Parents Regarding Threshold for Filing Personal Income Tax (status: ONTP)
- **LD 564** - An Act to Implement Recommendations of the Commission to Study Poverty Among Working Parents with Regard to State Earned Income Tax Credit (status: ONTP)
- **LD 333** - An Act to Implement Recommendations of the Commission to Study Poverty Among Working Parents with Regard to Child Care Funding (status: ONTP)

### **Providing Economic Security for Working Parents**

- **LD 332** - An Act to Implement Recommendations of the Commission to Study Poverty Among Working Parents with Regard to Unemployment Compensation (status: LAB Committee, OTP-AM)
- **LD 568** - An Act to Implement Recommendations of the Commission to Study Poverty Among Working Parents with Regard to Raising the Minimum Wage (status: LAB Committee voted to carry over)

### **Providing Economic Development Opportunities for Individuals and Communities**

- **LD 330** - An Act to Implement Recommendations of the Commission to Study Poverty Among Working Parents with Regard to Microenterprise Needs (status: Signed into law, Resolve 23)

## **Ensuring Governmental Accountability for Ongoing Efforts to Address Poverty**

**LD 334** - An Act to Implement Recommendations of the Commission to Study Poverty Among Working Parents with Regard to an Annual Report Card on Poverty (status: Enacted on May 15, 1997)

**The Judicial Compensation Commission** recommended changes designed to ensure that the most highly qualified lawyers in the State, drawn from diverse life and professional experiences, are not deterred from serving or continuing to serve in the state judiciary. The recommendations resulted in LD 1062, "An Act to Implement Recommendations of the Judicial Compensation Commission". This LD is currently being considered by the Judiciary Committee.



The Office of Policy and Legal Analysis (OPLA) is one of several nonpartisan offices of the Maine State Legislature. It operates under the auspices of the Legislative Council. The office provides professional staff assistance to the joint standing and select committees, including provision of policy and legal research and analysis, coordination of the committee process, drafting of bills and amendments, statutory analysis of budget bills in cooperation with the Office of Fiscal and Program Review and preparation of legislative proposals, reports and recommendations. Following is the mission of the office:

#### **OPLA Mission**

The Office of Policy and Legal Analysis assists, in a nonpartisan and responsive manner, the Maine Legislature, its committees and its members in fulfilling the Legislature's mission by providing objective information, impartial legal and policy analysis, and assisting in formulating and drafting legislative proposals, reports and recommendations.

#### **OPLA~Notes**

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David E. Boulter, Director

Darlene Shores Lynch, Editor

We welcome your comments and suggestions. Contact the Office of Policy and Legal Analysis by writing to 13 State House Station, Augusta, Maine 04333; calling 287-1670; or stopping by Rooms 101, 107 or 135 of the State House.

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