

MAINE STATE LEGISLATURE

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L.D. 121

DATE: *5/17/05*

(Filing No. H-*389*)

STATE AND LOCAL GOVERNMENT

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STATE OF MAINE
HOUSE OF REPRESENTATIVES
122ND LEGISLATURE
FIRST SPECIAL SESSION

COMMITTEE AMENDMENT "A" to H.P. 97, L.D. 121, Bill, "An Act To Improve Communication, Cooperation and Efficiencies in State Government"

Amend the bill by striking everything after the enacting clause and inserting in its place the following:

Sec. 1. 5 MRSA §12004-I, sub-§75-C, as enacted by PL 2003, c. 696, §1, is amended to read:

75-C.	Intergovern-	Legislative	30-A MRSA
State Government	mental	Per Diem	§2181
	Advisory	and Expenses	
	Group	for Legis-	
	<u>Commission</u>	lators and	
		expenses only	
		for certain	
		members	

Sec. 2. 30-A MRSA §2181, as amended by PL 2005, c. 2, Pt. D, §64 and affected by §§72 and 74 and c. 12, Pt. WW, §18, is further amended to read:

§2181. Intergovernmental Advisory Commission

The Intergovernmental Advisory Group Commission, established by Title 5, section 12004-I, subsection 75-C and referred to in this chapter as "the advisory group commission," shall work on ways to improve communication, cooperation and efficiencies within all 3 branches of government and provide state assistance to encourage regionalization and cost-effective service delivery.

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2 **1. Advisory commission membership.** The advisory group
3 commission consists of the following 17 19 members:

4
5 A. One member of the Senate appointed by the President of
6 the Senate;

7
8 B. One member of the House of Representatives who is not a
9 member of the same political party as the Senator appointed
10 under paragraph A, appointed by the Speaker of the House;

11
12 C. Three members who must be state agency or department
13 heads or their designees, appointed by the Governor. The
14 Governor may appoint the fiscal administrator of the
15 unorganized territory in lieu of an agency or department
16 head;

17
18 D. Five members appointed by the Governor who represent
19 regional governments, 3 of whom must be county officials
20 recommended by a statewide association of county
21 commissioners and 2 of whom must represent regional planning
22 agencies, councils of government or other regional bodies;

23
24 E. Five members appointed by the Governor who represent
25 local government, 3 of whom must be municipal officials
26 recommended by a statewide municipal association and 2 of
27 whom must represent school administrative units or other
28 special-purpose districts that represent 2 or more
29 municipalities; and

30
31 F. Two members appointed by the Governor who represent
32 nongovernmental entities with experience in regionalization,
33 consolidation and customer service, one from the
34 not-for-profit sector and one from the for-profit sector;
35 and

36
37 G. Two members appointed by the Governor who represent
38 public safety, one of whom must be a municipal official
39 recommended by a statewide organization representing public
40 safety interests and one of whom must be a county official
41 recommended by a statewide association of county
42 commissioners.

43
44 The Governor shall appoint at least 3 members from each of 3
45 regions defined as follows: Region 1: Aroostook, Hancock,
46 Penobscot, Piscataquis and Washington counties; Region 2:
47 Androscoggin, Franklin, Kennebec, Knox, Lincoln, Oxford,
48 Sagadahoc, Somerset and Waldo counties; and Region 3: Cumberland
49 and York counties. The Governor shall make every effort to
50 ensure a geographic diversity of membership from each region.

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COMMITTEE AMENDMENT "A" to H.P. 97, L.D. 121 .

2 2. **Chairs.** The 2 legislative members of the advisory ~~g~~roup
commission are the cochairs.

4
6 3. **Terms of appointment.** The terms of appointment are as
follows.

8 A. Of the initial gubernatorial appointments, 5 must be for
10 terms of 3 years, 5 must be for terms of 2 years and 5 must
be for terms of one year.

12 B. Subsequent gubernatorial appointments must be for terms
14 of 3 years, except that, if a member is unable to complete
the term, the Governor shall appoint a person to serve out
16 the remainder of the unexpired term.

18 C. The term for an elected official must be for the term of
office of the person appointed.

20 D. A member may not serve for more than 6 years. A member
22 may continue to serve until a replacement is designated.

24 4. **Duties.** The advisory ~~g~~roup commission shall:

26 A. Study ways to reduce duplication and improve efficiency
among all 3 branches of State Government as well as within
28 each branch;

30 B. Promote communication, cooperation and efficient
32 delivery of services, including collecting data on current
efforts to regionalize service delivery statewide;

34 C. Design and implement processes by which the State may
offer guidance, technical support and incentives to
36 encourage regionalization and efficiency of service delivery
by all 3 branches of government;

38 D. Work with local and regional entities to design and
40 implement pilot programs that result in cost savings or
improved services through regionalization or other
42 efficiency efforts;

44 E. Identify best management practices and make this
information available to the public, including, but not
46 limited to, best management practices that facilitate
property tax rate reduction pursuant to the increasing state
share of the total cost of essential programs and services
48 under Title 20-A, chapter 606-B;

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2 F. Prepare legislation for submission to the Legislature to
3 implement any recommendations of the advisory group
4 commission on or before December 1st annually; and

6 G. Report to the joint standing committee of the
7 Legislature having jurisdiction over state and local
8 government matters annually in January on the activities and
9 effectiveness of the group commission and recommend changes
10 to the group's commission's organizational structure.

12 5. **Meetings.** The advisory group commission may meet up to
13 4 times a year. The advisory commission may meet up to 6 more
14 times a year if the advisory commission raises funds as outlined
in subsection 8 to compensate members.

16 6. **Attendance.** If a member of the advisory group
17 commission fails to notify the chairs about an absence from a
18 meeting more than one time, the original appointing authority may
19 appoint a replacement.

20 7. **Staff assistance.** The Executive Department, State
21 Planning Office shall provide all necessary staffing and support
22 services for the advisory group commission. The State Planning
23 Office shall designate an individual as the intergovernmental
24 coordinator. The purpose of the coordinator is to encourage
25 improved governmental cooperation, efficiencies in service
26 delivery and coordination of regional and cooperative efforts
27 initiated through state departments and agencies.

30 8. **Funding.** The advisory group commission is authorized to
31 seek, accept and expend funding to carry out the advisory group's
32 commission's program activities, subject to approval by the
33 Director of the State Planning Office within the Executive
34 Department. All funds accepted must be forwarded to the Director
35 of the State Planning Office, who shall administer all funds
36 received by the advisory group commission. The State Planning
37 Office must transfer sufficient funds to the Legislature for the
38 payment of per diem and expenses to Legislators for their
attendance at any additional meetings.

40 9. **Compensation.** Legislative members of the advisory group
41 commission are entitled to receive the legislative per diem as
42 defined in Title 3, section 2 and reimbursement for expenses
43 according to Title 5, section 12004-I, subsection 75-C. Public
44 members not otherwise compensated by their employers or other
45 entities that they represent are entitled to receive
46 reimbursement of necessary expenses incurred for their attendance
47 at authorized meetings of the advisory group commission from the
48 Executive Department, State Planning Office, subject to the
49 approval of the Director of the State Planning Office.

2 **10. Quorum; actions.** A quorum is a majority of the members
 of the advisory group commission. An affirmative vote of the
 4 majority of the members present at a meeting is required for any
 action.

6 **Sec. 3. Appropriations and allocations.** The following
 8 appropriations and allocations are made.

10 **LEGISLATURE**

12 **Legislature - Intergovernmental Advisory Commission 0081**

14 Initiative: Allocates funds for the per diem and expenses for
 the legislative members of the commission for 6 additional
 16 meetings.

18 OTHER SPECIAL REVENUE FUNDS	2005-06	2006-07
Personal Services	\$660	\$660
All Other	\$600	\$600
OTHER SPECIAL REVENUE FUNDS TOTAL	\$1,260	\$1,260

24 **Sec. 4. Maine Revised Statutes amended; revision clause.** Wherever
 in the Maine Revised Statutes the words "Intergovernmental
 26 Advisory Group" appears or reference is made to that entity or
 those words, those words are amended to read or mean, as
 28 appropriate, "Intergovernmental Advisory Commission" or
 "commission," and the Revisor of Statutes shall implement this
 30 revision when updating, publishing or republishing the statutes.'

32 **SUMMARY**

34 This amendment replaces the text of the concept draft. The
 36 amendment renames the Intergovernmental Advisory Group the
 Intergovernmental Advisory Commission. The amendment allows for
 38 2 additional members appointed by the Governor who represent
 public safety, one municipal member nominated by a statewide
 40 organization representing public safety interests and one county
 official nominated by a statewide association of county
 42 commissioners. The amendment also requires the Executive
 Department, State Planning Office to designate an individual as
 44 an intergovernmental coordinator who will work to encourage
 improved governmental cooperation, efficiencies in service
 46 delivery and coordination of regional and cooperative efforts
 initiated through state departments and agencies. The
 48 commission, which may meet up to 4 times per year, may have up to

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2 6 additional meetings if it raises funds to compensate members.
The amendment adds an appropriations and allocations section.

4

FISCAL NOTE REQUIRED
(See attached)

6

COMMITTEE AMENDMENT



122nd MAINE LEGISLATURE

LD 121

LR 0667(02)

An Act To Improve Communication, Cooperation and Efficiencies in State Government

Fiscal Note for Bill as Amended by Committee Amendment "A"

Committee: State and Local Government

Fiscal Note Required: Yes

Fiscal Note

	2005-06	2006-07	Projections 2007-08	Projections 2008-09
Appropriations/Allocations				
Other Special Revenue Funds	\$1,260	\$1,260	\$0	\$0
Revenue				
Other Special Revenue Funds	\$1,260	\$1,260	\$0	\$0

Fiscal Detail and Notes

This legislation includes an Other Special Revenue Funds allocation to the Legislature of \$1,260 in fiscal year 2005-06 and 2006-07 to provide funds for the per diem and expenses of the two legislative members of the commission resulting from six additional meetings.