

MAINE STATE LEGISLATURE

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115th MAINE LEGISLATURE

FIRST REGULAR SESSION-1991

Legislative Document

No. 1737

S.P. 661

In Senate, April 29, 1991

Reference to the Committee on State and Local Government suggested and ordered printed.

A handwritten signature in cursive script that reads "Joy J. O'Brien".

JOY J. O'BRIEN
Secretary of the Senate

Presented by Senator McCORMICK of Kennebec
Cosponsored by Representative PFEIFFER of Brunswick and Representative HEESCHEN of
Wilton.

STATE OF MAINE

IN THE YEAR OF OUR LORD
NINETEEN HUNDRED AND NINETY-ONE

**Resolve, Establishing a Commission to Study the State of Maine Manual
of Policy and Procedures for Maine State Employees Combined
Charitable Appeal.**

(EMERGENCY)

Emergency preamble. Whereas, Acts and resolves of the
Legislature do not become effective until 90 days after
adjournment unless enacted as emergencies; and

Whereas, the study must be initiated before the 90-day
period expires, in order that the study can be completed and a
report completed in time for submission to the next legislative
session; and

Whereas, in the judgment of the Legislature, these facts
create an emergency within the meaning of the Constitution of
Maine and require the following legislation as immediately
necessary for the preservation of the public peace, health and
safety; now, therefore, be it

Sec. 1. Commission established. Resolved: That the Commission
to Study the State of Maine Manual of Policy and Procedures for
Maine State Employees Combined Charitable Appeal is established;
and be it further

Sec. 2. Commission membership. Resolved: That the commission
consists of the following members: Two members must be
Legislators who are members of the Joint Standing Committee on
State and Local Government of which one must be appointed by the
President of the Senate and one must be appointed by the Speaker
of the House of Representatives; one member must be the current
state overseer of the charitable appeal or the state overseer's
designee; all interested representatives of charitable
federations that solicit or are interested in soliciting through
the employees' payroll deduction program; and 3 representatives
of state employees to be chosen by the current state overseer of
the charitable appeal from applications submitted by the
employees; and be it further

Sec. 3. Appointments; meetings. Resolved: That all
appointments must be made no later than 30 days following the
effective date of this resolve. The Executive Director of the
Legislative Council shall be notified by all appointing
authorities once the selections have been made. When the
appointment of all members has been completed the Chair of the
Legislative Council shall call and convene the first meeting of
the commission no later than July 15, 1991. The commission shall
select a chair from among its members; and be it further

Sec. 4. Duties. Resolved: That the commission shall study the
current policy and procedures of the state employees' combined
charitable appeal and revise the current manual used as
guidelines for the annual campaign. In conducting the study the
commission shall examine the following:

1. Whether reasonable guidelines that ensure fair and
impartial charitable giving are currently used in the campaign;

- 2 2. Whether current eligibility guidelines are overly
restrictive;
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- 6 3. Whether policy guidelines are sufficiently standard to
prevent preferential treatment;
- 8 4. Whether an employee committee should be designated to
oversee and evaluate the campaign;
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- 12 5. Whether an application procedure should be instituted
for the campaign administering agent and, if so, make
recommendations for application requirements;
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- 16 6. Whether an application procedure should be instituted
for participating federations and, if so, make recommendations
for application requirements;
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- 20 7. Whether all participating federations have reasonable
opportunities to take part in campaign planning and
implementation;
- 22
- 24 8. Whether all current employees are given equal and
adequate information and materials about their charitable giving
options through Maine State Employees Combined Charitable Appeal;
- 26
- 28 9. The current method of distributing funds including
whether the State should act as fiscal agent;
- 30 10. The equitability of the division of receipts; and
- 32 11. Whether the appeals process requires more
formalization; and be it further
- 34
- 36 **Sec. 5. Powers. Resolved:** That in examining these issues, the
commission may:
- 38 1. Meet at convenient times and places within Augusta;
- 40 2. Hold informational sessions for discussions with
knowledgeable persons;
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- 44 3. Conduct, summarize and analyze the results of a
literature search;
- 46 4. Conduct, tabulate and analyze the results of a survey of
the public or affected persons and groups;
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- 50 5. Procure and analyze relevant data;
- 52 6. Conduct legal research and prepare opinions on legal
questions within the scope of the study; and

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7. Determine and summarize the legislative actions or governmental programs undertaken in other jurisdictions related to issues within the scope of the study; and be it further

Sec. 6. Reimbursement. Resolved: That the members of the commission who are Legislators are entitled to legislative per diem, as defined in the Maine Revised Statutes, Title 3, section 2, for each day's attendance at commission hearings; and be it further

Sec. 7. Report. Resolved: That the commission shall submit its report and revised manual, with any necessary implementing legislation, to the Second Regular Session of the 115th Legislature no later than November 1, 1991; and be it further

Sec. 8. Appropriation. Resolved: That the following funds are appropriated from the General Fund to carry out the purposes of this resolve.

1991-92

LEGISLATURE

**Commission to Study the State of Maine
Manual of Policy and Procedures for
Maine State Employees Combined Charitable
Appeal**

Personal Services	\$550
All Other	750

Provides funding for the Commission to Study the State of Maine Manual of Policy and Procedures for Maine State Employees Combined Charitable Appeal including per diem and expenses for legislative members, printing costs and other meeting expenses.

**LEGISLATURE
TOTAL**

\$1,300

Emergency clause. In view of the emergency cited in the preamble, this resolve takes effect when approved.

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STATEMENT OF FACT

4 This resolve establishes the Commission to Study the State
of Maine Manual of Policy and Procedures for Maine State
6 Employees Combined Charitable Appeal. The commission must revise
the current campaign manual to include the recommendations of the
8 study commission.