

MAINE STATE LEGISLATURE

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118th MAINE LEGISLATURE

FIRST REGULAR SESSION-1997

Legislative Document

No. 1301

S.P. 406

In Senate, March 4, 1997

**An Act to Continue and Expand the Duties of the Productivity
Realization Task Force by Creating a Permanent Productivity
Realization Council.**

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 AMERO of Cumberland.
Cosponsored by Representative DONNELLY of Presque Isle and
Senators: ABROMSON of Cumberland, BENNETT of Oxford, FERGUSON of Oxford,
GOLDTHWAIT of Hancock, MILLS of Somerset, Representatives: GIERINGER of Portland,
MARVIN of Cape Elizabeth.

Be it enacted by the People of the State of Maine as follows:

Sec. 1. 5 MRSA c. 146 is enacted to read:

CHAPTER 146

PRODUCTIVITY REALIZATION COUNCIL

§1601. Productivity Realization Council

1. Council established. The Productivity Realization Council, referred to in this chapter as the "council," as established in section 12004-G, subsection 13-D, shall advise and assist the Governor and the Legislature in the design and implementation of changes in State Government operations intended to improve the productivity of the work force and the efficiency of state services. The council is solely an advisory group and has no independent authority.

2. Membership; chair. The council consists of 13 members. The Governor shall appoint 6 members to include 2 members from the Governor's cabinet, one member representing the business sector, one member representing employee unions and one state employee; the President of the Senate shall appoint 3 members to include one Senator and one member representing the private sector; the Speaker of the House of Representatives shall appoint 3 members to include at least one Representative and one member representing the public sector; and the Chief Justice of the Supreme Judicial Court or the chief justice's designee is a member. The Governor, the President of the Senate and the Speaker of the House of Representatives shall jointly select a chair of the council from among the 13 members.

3. Terms; vacancies. Members serve until the end of the legislative biennium in which they are appointed. Vacancies must be filled in the same manner as the original appointment.

4. Expenses. Members of the council are entitled to receive reimbursement for expenses. The Legislative Council shall absorb the costs of the legislative members of the council within existing resources.

5. Staff. Upon request of the council, the Legislative Council, the Administrative Office of the Courts, the Executive Department, the State Planning Office and the Bureau of the Budget and other bureaus within the Department of Administrative and Financial Services shall provide assistance and staff to the council within existing resources.

§1602. Duties of council

2 1. Scope of review. The council shall consider all
3 reasonable productivity improvements throughout State Government,
4 including, but not limited to:

5 A. Position reductions through attrition to the extent
6 feasible;

7 B. Administration;

8 C. Changes in supervisory and management roles and
9 responsibilities including span of control;

10 D. Redundant tasks and functions;

11 E. Position enlargements and restructuring;

12 F. Use of technology;

13 G. Changes in agency and program missions and objectives
14 and the relevance of programs to enabling legislation;

15 H. Program restructuring; and

16 I. Alternative systems of service delivery including the
17 potential, when applicable, for privatization.

18
19 Within the scope of its work, the council shall utilize all
20 concepts, approaches and methodologies accepted by State
21 Government for the implementation of strategic performance
22 budgeting and receive and consider the recommendations of any
23 task force or commission authorized by law to guide and implement
24 performance-based budgeting in State Government.

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26 2. Timing of review. The council shall adopt a biennial
27 schedule of review that provides as nearly as practicable for the
28 review of General Fund programs in even-numbered years and the
29 review of programs funded from dedicated funds and accounts, the
30 University of Maine System, the Maine Technical College System,
31 independent agencies and public instrumentalities in odd-numbered
32 years. The council may review programs out of schedule if it
33 determines that review will contribute to the goal of increasing
34 productivity.

35
36 3. Report. The council shall report its findings,
37 recommendations and accomplishments to the Governor and the joint
38 standing committees of the Legislature having jurisdiction over
39 appropriations and financial affairs and over state and local
40 government matters by December 31st annually. The council report
41 must be submitted to the Governor for review and comment before
42 submission to the legislative committees. The council may
43 recommend the elimination of positions or the reduction,
44 elimination or alteration of state programs and operations. The
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2 Governor shall prepare and submit legislation necessary to
3 implement the findings and recommendations of the council that
4 the Governor accepts.

6 **Sec. 2. 5 MRSA §12004-G, sub-§13-D** is enacted to read:

8 13-D. Productivity Expenses 5 MRSA
9 Executive Realization Only §1601
10 Council

12 **SUMMARY**

14 This bill establishes the permanent Productivity Realization
15 Council to continue the work of the Productivity Realization Task
16 Force from the 117th Legislature and to advise and assist the
17 Governor and the Legislature in the design and implementation of
18 changes in State Government operations intended to improve the
19 productivity of the work force and the efficiency of state
20 services. The council is required to adopt a biennial schedule
21 of review of all General Fund, dedicated fund and independent
22 programs. The council shall submit its report to the Governor
23 and the Legislature by December 31st annually. The Governor
24 shall submit legislation to implement the findings and
recommendations of the council that the Governor accepts.