

# MAINE STATE LEGISLATURE

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# 120th MAINE LEGISLATURE

## FIRST REGULAR SESSION-2001

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Legislative Document

No. 886

S.P. 256

In Senate, February 15, 2001

**An Act to Establish a Clean Government Initiative.**

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Reference to the Committee on Natural Resources 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 TREAT of Kennebec.  
Cosponsored by Representative COWGER of Hallowell and  
Senators: DAGGETT of Kennebec, GAGNON of Kennebec, NUTTING of Androscoggin,  
SAWYER of Penobscot, Representatives: DAIGLE of Arundel, GREEN of Monmouth.

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

2           **Sec. 1. 5 MRSA §282, sub-§6**, as amended by PL 1995, c. 37, §3,  
4 is further amended to read:

6           **6. Supervise.** To supervise and direct the administration  
of the State Claims Commission; and

8           **Sec. 2. 5 MRSA §282, sub-§7**, as enacted by PL 1995, c. 37, §4,  
10 is amended to read:

12           **7. Value of fringe benefits.** To ensure that all  
14 publications that state the salary of an employee or of a  
16 position in State Government also include a statement of the  
18 dollar value of the fringe benefit package provided. For  
20 purposes of this subsection, "fringe benefits" includes an  
employer's cost of an employee's health insurance, dental  
insurance and retirement but does not include the amount paid to  
cover any unfunded liability; and

22           **Sec. 3. 5 MRSA §282, sub-§8** is enacted to read:

24           **8. Serve as director of Clean Government Initiative.** To  
serve as a director, along with the Commissioner of Environmental  
Protection, of the Clean Government Initiative established in  
Title 38, section 343-H.

28           **Sec. 4. 38 MRSA §342, sub-§17** is enacted to read:

30           **17. Serve as a director of Clean Government Initiative.** The  
commissioner shall serve as a director, along with the  
Commissioner of Administrative and Financial Services, of the  
Clean Government Initiative established in section 343-H.

34           **Sec. 5. 38 MRSA §343-H** is enacted to read:

36           **§343-H. Clean Government Initiative**

38           **1. Initiative established; directors.** The Clean Government  
Initiative, referred to in this section as the "initiative," is  
established to assist state agencies in meeting applicable  
environmental compliance requirements and to incorporate  
environmentally sustainable practices into all state government  
functions. The initiative is jointly directed by the  
commissioner and the Commissioner of Administrative and Financial  
Services, referred to in this section as the "directors."

48           **2. Duties; responsibilities.** The directors of the  
initiative shall:

2 A. Establish a coordinated state government environmental  
3 compliance policy that includes the incorporation of  
4 environmentally sustainable practices into state government  
5 planning, operations and regulatory functions;

6 B. Establish goals to measure and assess the environmental  
7 compliance and performance of state agencies. In developing  
8 those goals, the directors shall seek to achieve continuous  
9 improvement in environmental compliance and performance of  
10 all state agencies through:

12 (1) Pollution prevention;

14 (2) Improvements in energy efficiency, including  
15 facility siting, design, construction and management;  
16 and

18 (3) Procurement of environmentally friendly  
19 commodities and services, recycling of waste products  
20 and enhanced fleet efficiency;

22 C. Advise and assist state agencies in developing  
23 environmental compliance audits and plans and in  
24 implementing those plans;

26 D. Advise the Governor and the Legislature in the  
27 formulation of policies for the effective operation,  
28 management and achievement of initiative goals; and

30 E. Ensure that the capital master plan established under  
31 Title 5, section 299 is implemented in a manner consistent  
32 with the goals of the initiative.

34 3. Responsibilities of state agencies. State agencies  
35 shall cooperate with the directors in implementing the initiative  
36 and shall provide staff assistance and technical support upon  
37 request. In addition, each state agency shall:

38 A. Complete an audit of its facilities to determine  
39 compliance with applicable state and federal environmental  
40 laws;

42 B. Develop a biennial plan that outlines the actions the  
43 agency will take to incorporate compliance efforts and  
44 environmentally sustainable practices into its planning and  
45 operational functions. To facilitate incorporation into the  
46 biennial budget process, these plans must be submitted to  
47 the directors prior to June 1st of each even-numbered year,  
48 beginning in 2002;

50

2           C. Appoint an employee in the agency to be responsible for  
ensuring the development and implementation of agency  
4           activities under the initiative; and

6           D. Establish standards for leasing or building state  
facilities that meet the goals of the initiative.

8           Each agency shall fund costs associated with implementing this  
initiative from within existing budgeted resources.

10           4. Reporting. Beginning on January 1, 2003, and biennially  
12           thereafter, the directors shall jointly report on the activities  
14           of all state agencies under the initiative to the joint standing  
16           committee of the Legislature having jurisdiction over natural  
18           resources matters and the joint standing committee of the  
20           Legislature having jurisdiction over state government matters.  
The report must identify the successes of and the obstacles to  
implementation of the initiative and may include recommendations  
for any statutory changes necessary to accomplish the goals of  
the initiative.

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**SUMMARY**

26           This bill creates the Clean Government Initiative to assist  
28           state agencies in meeting environmental compliance requirements  
30           and to assist those agencies in incorporating environmentally  
32           sustainable practices into all state government functions. The  
34           Clean Government Initiative is jointly directed by the  
36           Commissioner of Environmental Protection and the Commissioner of  
38           Administrative and Financial Services. The Clean Government  
Initiative seeks to achieve continuous improvement in  
environmental performance of all state agencies through such  
measures as pollution prevention, improvements in energy  
efficiency, procurement of environmentally friendly commodities  
and services, recycling of waste products and enhanced fleet  
efficiency through the purchase of fuel-efficient vehicles and  
proper fleet maintenance.

40           The bill requires the Commissioner of Environmental  
42           Protection and the Commissioner of Administrative and Financial  
44           Services to establish a coordinated State Government  
46           environmental compliance policy that includes the incorporation  
48           of environmentally sustainable practices into state government,  
50           to establish goals for the economic and environmental performance  
of state agencies, to advise and assist state agencies in the  
development of environmental compliance audits and plans and in  
implementing those plans, to advise the Governor and the  
Legislature on the formulation of policies for the effective  
operation, management and achievement of the goals of the Clean

Government Initiative and to ensure that the master plan of the  
2 Capitol Planning Commission is implemented in a manner consistent  
with those goals.

4  
The bill requires each state agency to determine its  
6 compliance with applicable state and federal environmental laws  
and to develop a biennial plan outlining the actions the agency  
8 will take to incorporate environmentally sustainable practices  
into its planning and operations.

10  
The bill also requires the Commissioner of Environmental  
12 Protection and the Commissioner of Administrative and Financial  
Services to jointly report on the activities of all state  
14 agencies under the initiative to the joint standing committee of  
the Legislature having jurisdiction over natural resources  
16 matters and the joint standing committee of the Legislature  
having jurisdiction over state government matters every 2 years,  
18 beginning on January 1, 2003.