

MAINE STATE LEGISLATURE

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120th MAINE LEGISLATURE

SECOND REGULAR SESSION-2002

Legislative Document

No. 2145

H.P. 1642

House of Representatives, February 28, 2002

An Act to Include all State-supported Institutions of Higher Education in the Clean Government Initiative.

(AFTER DEADLINE)

Approved for introduction by a majority of the Legislative Council pursuant to Joint Rule 205.

Reference to the Committee on Education and Cultural Affairs suggested and ordered printed.

A handwritten signature in cursive script that reads "Millicent M. MacFarland".

MILLICENT M. MacFARLAND, Clerk

Presented by Representative BAKER of Bangor.
Cosponsored by Senator TREAT of Kennebec and
Representatives: BLISS of South Portland, COLWELL of Gardiner, COWGER of Hallowell,
KOFFMAN of Bar Harbor, RICHARDSON of Brunswick, Senators: CATHCART of
Penobscot, MARTIN of Aroostook, SAWYER of Penobscot.

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

4 **Sec. 1. 38 MRSA §343-H**, as enacted by PL 2001, c. 333, §5,
is amended to read:

6 **§343-H. Clean Government Initiative**

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

18 **1-A. State-supported institution of higher learning.** For
purposes of this section, "state-supported institution of higher
20 learning" means the University of Maine System, the Maine
Maritime Academy and the Maine Technical College System.

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

26 A. Establish a coordinated state government environmental
plan to ensure that:

28 (1) All agencies and state-supported institutions of
30 higher learning comply with state and federal
environmental laws; and

32 (2) Environmentally sustainable practices are
34 incorporated into state government planning, operations
and regulatory functions;

36 B. Establish metrics to measure and assess the
38 environmental compliance and performance of state agencies
and state-supported institutions of higher learning. In
40 developing those metrics, the directors shall seek to
achieve continuous improvement in environmental compliance
42 and performance of all state agencies through:

44 (1) Pollution prevention;

46 (2) Improvements in energy efficiency, including
facility siting, design, construction and management;
48 and

2 (3) Procurement of environmentally friendly
3 commodities and services, as assessed on a life cycle
4 basis, including technically comparable, cost-effective
5 and reasonably available alternatives to products that
6 may release dioxin or mercury to the environment,
7 recycling of waste products and enhanced fleet
8 efficiency;

9
10 C. Advise and assist state agencies and state-supported
11 institutions of higher learning in developing environmental
12 compliance audits and plans and in implementing those plans;

13
14 D. Advise the Governor and the Legislature in the
15 formulation of policies for the effective achievement of
16 initiative goals; and

17
18 E. Ensure that the capital master plan established under
19 Title 5, section 299 is implemented in a manner consistent
20 with the initiative.

21
22 **3. Responsibilities of state agencies and state-supported**
23 **institutions of higher learning.** State agencies and
24 state-supported institutions of higher learning shall cooperate
25 with the directors in implementing the initiative and shall
26 provide staff assistance and technical support upon request. In
27 addition, each state agency and state-supported institution of
28 higher learning shall:

29
30 A. Complete or demonstrate completion of an audit of its
31 facilities to determine compliance with applicable state and
32 federal environmental laws;

33
34 B. Develop a biennial plan that outlines the actions the
35 agency or state-supported institution of higher learning
36 will take to incorporate compliance efforts and
37 environmentally sustainable practices into its planning and
38 operational functions. To facilitate incorporation into the
39 biennial budget process, these plans must be submitted to
40 the directors prior to June 1st of each even-numbered year,
beginning in 2002;

41
42 C. Appoint an employee in the agency or state-supported
43 institution of higher learning to be responsible for
44 ensuring the development and implementation of agency
45 activities under the initiative; and

46
47 D. Establish standards for leasing or building state
48 facilities consistent with the initiative.

2 Each agency and state-supported institution of higher learning
shall fund costs associated with implementing this initiative
4 from within existing budgeted resources.

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

16 SUMMARY

18 Under current law, the Clean Government Initiative assists
20 state agencies in meeting applicable environmental compliance
requirements and incorporating environmentally sustainable
22 practices into state government functions. This bill expands the
Clean Government Initiative to apply to the University of Maine
24 System, the Maine Maritime Academy and the Maine Technical
College System.