

MAINE STATE LEGISLATURE

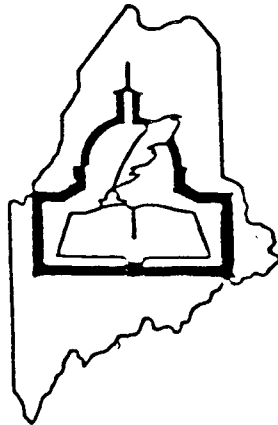
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STATE OF MAINE
ONE HUNDRED AND TWELFTH LEGISLATURE
FIRST REGULAR SESSION

JOINT STANDING COMMITTEE ON
STATE GOVERNMENT
BILL SUMMARY



JULY, 1985

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ONE HUNDRED AND TWELFTH LEGISLATURE
FIRST REGULAR SESSION

JOINT STANDING COMMITTEE
BILL SUMMARIES
JULY 1985

This document is a compilation of the bill summaries prepared by this office for the Joint Standing Committees of the Maine Legislature, covering the First Regular Session of the 112th Legislature. The summaries are arranged by LD number and indexed separately by committee.

LD: 97 RESOLVE, REQUIRING THE BUREAU OF PUBLIC
EMERGENCY IMPROVEMENTS TO STUDY AND EVALUATE VARIOUS
ALTERNATIVES FOR CENTRALLY LOCATING THE
SEVERAL ECONOMIC DEVELOPMENT AGENCIES OF THE
STATE WITHIN A SINGLE FACILITY

LV-WD HOUSE Accepted Committee Report
SENATE Accepted Committee Report
GOV

SUMMARY:

LD 97 proposed that the Bureau of Public Improvements (BPI) study various options by which Maine's economic development agencies could be "housed" in one building. BPI has already developed plans and costs for the construction of a new building which would allow the several economic development agencies to be "housed" together. Under LD 97, the BPI would look at leasing, purchasing and any other alternatives that might exist.

By housing the several economic development agencies within a single facility, greater coordination of programs and activities of the several agencies could possibly be achieved. In addition, better communication among the agencies may be facilitated. Another purpose of the bill is to make business assistance services of the State more convenient to the general public.

LD 97 was withdrawn following the announcement of the Governor's proposal to send to the voters of Maine a proposal for the construction of a new building to house all economic development agencies of the State. Currently, this procedure has been changed. Industrial development bonds issued by FAME will be the source of funding for the new construction.

LD: 98 AN ACT DEFINING THE RIGHT OF STATE EMPLOYEES
TO TESTIFY BEFORE LEGISLATIVE COMMITTEES
(REPORTED PURSUANT TO A STUDY ORDER FROM THE
STATE GOVERNMENT COMMITTEE)

OTP-AM HOUSE Enacted PUBLIC
SENATE Enacted CH # 167
GOV SIGNED
H-85 CA H S

SUMMARY:

LD 98, which has been enacted into law, establishes a written state policy defining the rights of and protection afforded State employees with respect to testimony presented to legislative committees. According to the policy a State employee may not be discriminated against in any way by his/her superiors for testimony that:

A. is presented while the employee is using vacation or personal time, and

B. relates to proposed or current programs of a state agency.

The protection allowed in the bill does not extend to testimony or information which is slanderous or libelous.

In the original bill statements relating to the personal style of supervisory management would not be protected unless a legislator requested that type of information from an employee.

The purpose of the bill is to encourage state employees to provide testimony that will be of significant value to legislative committees. In most cases, state employees who are actually involved in department/agency programs and who know the most about the operation and effectiveness of these programs do not testify before legislative committees.

Until passage of this bill there was no written and standard state policy relating to the right or practice of state employees to testify before legislative committees. In many cases, department heads or supervisors discouraged or prohibited their employees from testifying before legislative committees.

A survey of 1,000 state employees, 250 of whom responded to the questionnaire, produced the following results:

- 1) 88% indicated that they have never testified before a committee about the department in which they work;
- 2) 62% stated that they have not testified before a committee because they have never been asked to testify. This response indicates that a substantial majority of the respondents do not understand their rights with respect to testifying before legislative committees;
- 3) roughly 40% indicated some degree of fear of the repercussions that might ensue following the provision of testimony to a committee;
- 4) 40% stated that they have provided information anonymously to legislators and legislative committees;
- 5) 60% stated that they have a moderate to great interest in presenting information to the Legislature;

6) 45% indicated that they were unaware of issues before the Legislature, but roughly 70% of this group would like to testify before a legislative committee if adequate protection is provided; and

7) roughly 67% stated they would be more likely to testify before a legislative committee if they were protected by state law from harassment or discrimination.

The Committee amended the bill (H-85) to make some technical changes and two substantive revisions. One of the substantive revisions removed the provision denying protection to State employees for statements about the personal style of supervisory management. State employees, in their testimony about current or proposed programs, may need to provide information about management of programs, and it may be impossible to separate personal style of managers from the description of program operation.

The second substantive revision removed the provision relating to injunctive relief following a grievance procedure and established a 120 day period following the alleged violation of the law for the filing for injunctive relief. In some cases, a grievance procedure could consume as much time as 1 year.

LD: 99 AN ACT TO CONSOLIDATE STATE BUSINESS LOAN PROGRAMS INTO ONE ORGANIZATION (REPORTED PURSUANT TO A STUDY ORDER FROM THE STATE GOVERNMENT COMMITTEE)

LU-WD HOUSE Accepted Committee Report
SENATE Accepted Committee Report
GOV

SUMMARY:

LD 99 proposed to authorize the Finance Authority of Maine to be the exclusive business loan agency of State government. The purpose of the bill was to reduce duplication among economic development agencies of the State and to plan responsibility for business loans with the agency that has the expertise and experience to evaluate businesses and applicants for loans.

The bill was withdrawn because the community development block grant program administered by the State Planning Office, includes funds that are provided to communities for loans to businesses. In addition, the Maine Development Foundation serves as an SBA 503 loan agency for York County. No other organization has been willing to serve in this capacity for York County.