

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.

complainant for this person's evaluation. The complainant's identity would be kept confidential.

The Audit and Program Review Committee is authorized to request the Attorney General to conduct an investigation into any matters arising from the reporting of information to the Committee.

The purpose of the bill is to encourage state employees and the general public to report cases of mismanagement, abuse, and unlawful activities in state government.

The confidentiality of identity of informants is the real crux of the bill. Currently, the Whistleblower's Protection Act provides protection to any public or private sector employee who reports information to the proper authorities with respect to unlawful activities. A bill allowing state employees to testify before legislative committees with respect to agency programs and operations enables state employees to provide information that may reveal mismanagement, negligence, and abuse.

Current laws relating to the reporting of unlawful activities, mismanagement, and abuse, however, do not keep the identity of informants confidential, which is the crux of the whole issue.

The bill was withdrawn by the sponsor following the committee's concern about the protection afforded the accused who is "innocent until proven guilty." The issue was whether persons with axes to grind could ruin another state employee's reputation. The questions of witch-hunts and other nefarious activities were also raised.

LD: 1324 AN ACT TO IMPROVE THE FUNCTIONING OF THE MAINE MILK COMMISSION
MICHAEL ALLEN MCGOWAN CARPENTER

OTP HOUSE Enacted
SENATE Enacted
GOV

SUMMARY:

LD 1324 proposed to subject to legislative confirmation commissioners named by the Governor to the Maine Milk Commission. The commissioners would be subject to review by the Committee on Agriculture. The Maine Milk Commission, like the State Lottery Commission, in the opinion of the State Government Committee, makes very substantive decisions that have a significant impact upon the State. confirmation is an additional protective

measure to assure the general public that the most reasonable means have been taken to protect the public from unscrupulous and unethical commissioners.

LD: 1333 AN ACT TO ESTABLISH FIXED DATES FOR THE
EMERGENCY ADJOURNMENT OF THE FIRST AND SECOND REGULAR
ND: 408 SESSIONS OF THE LEGISLATURE

MICHAUD
MARTIN J
PRAY
VIOLETTE

		HOUSE	Emerg. Enacted		
		SENATE	Emerg. Enacted		
		GOV	EMER SIGNED		
H-105	HB	GWADOSKY		H	S
H-88	HA	MAYO			
S-50	SA	GAUVREAU			

PUBLIC
CH # 166

SUMMARY:

LD 408, the original bill. LD 408 proposed to reduce the lengths of the First and Second Regular Sessions each by 10 days and establish an adjournment date not to extend beyond June 15 for the First Regular Session and April 15 for the Second Regular Session. The Legislature, by a 2/3 vote, may extend each regular session by no more than 5 days as long as adjournment occurs on or before the proposed June 15 or April 15 deadlines.

Approximately 35 states have limitations on the lengths of the sessions of their legislature. The primary purpose of limits is to expedite the legislative process and conserve tax collars.

The Committee revised the original bill by removing the provision establishing a maximum number of legislative days, and established June 15 as the termination date of the first Regular Session and April 15 as the termination date for the Second Regular Session. In the event that June 15 or April 15 should be a day of the weekend, the termination date would be the Friday previous to those dates.

House Amendment "B" (H-105) amended the new draft to establish the third Wednesday in June and the third Wednesday in April as the termination dates for the First and Second sessions respectively.

Since the limit is strictly statutory the Statute applies only to the 112th Legislature. Nevertheless, the statutory limitation will apply to future legislatures until challenged in the courts.