

# 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.

The MSEA, which wanted state employees to be authorized to solicit political contributions, agreed to the compromise. While unclassified state employees (1,000) who were not and are not currently subject to any law regarding office holding and solicitation, could not solicit political contributions under LD 1434, roughly 11,000 state employees (classified) could run for partisan political office in the municipalities and counties.

The Committee sought to treat all state employees in the same manner. In the committee's opinion, 1,000 unclassified state employees, roughly 50% of whom are subject to the Hatch Act (cannot solicit contributions or run for partisan political office) who were made subject to the state political rights law, did not incur any significant restrictions, for the most part. Classified state employees, however, made significant gains.

Following the committee's unanimous endorsement of the new draft, the bill passed the House only to be shot down in the Senate. At this point the Maine State Employees Association proposed an amendment to allow unclassified state employees to run for partisan elective office and to solicit political contributions. This amendment passed in the Senate, but failed in the House. The bill died between the two houses because the MSEA refused to accept the premise that classified and unclassified state employees should be treated in an equal manner.

**LD: 1440** AN ACT TO ESTABLISH THE DEPARTMENTAL INDIRECT COST ALLOCATION PROGRAM MCGOWAN  
 ND: 879 GWADOSKY  
 DILLENBACK

HOUSE Enacted PUBLIC  
 SENATE Enacted CH # 195  
 GOV SIGNED

S-69 SA KANY H S

SUMMARY:

LD 879, the original bill, proposed that state agencies which undertake repairs, improvements or construction of public improvements costing in excess of \$25,000 and the funds for which are appropriated in the agencies' budgets be required to follow the "least-cost" principle. Each agency would be required to:

- A. file a list with the Commissioner of Finance and Administration of every project to be constructed, repaired, or improved by the agency at a cost in excess of \$25,000,
- B. describe how the agency's decision conforms to the least cost principle,

C. keep a record of all costs incurred for each project, and

D. use model cost accounting procedures developed by the Commissioner of Finance and Administration.

The purpose of LD 879 was to ensure that construction and repair projects undertaken by state agencies and not contracted out for bid would be subject to the similar principle of the competitive bid process.

The major proponent of the bill, Mark Gartley from Ciambro Corporation, presented a new draft of the bill at the hearing. The original bill had a price tag of \$500,000 to cover the cost of developing and implementing a new cost accounting system for state government to implement the indirect cost allocation system.

The new draft, LD 1440 permits the Commissioner of Finance and Administration to standardize the various departments' existing indirect cost allocation proposals and to allow for a more accurate estimate of the total costs of construction, repair or improvement to state-owned property when performed with the departments' own personnel, equipment and supplies.

The indirect cost allocation procedure can be adopted following the standardization of allocation of indirect costs of the various departments of state government.

LD: 1457 AN ACT TO ESTABLISH THE OFFICE OF INSPECTOR GENERAL TO INVESTIGATE FRAUD, WASTE OR ABUSE IN THE EXPENDITURE OF PUBLIC FUNDS RACINE RICHARD THERIAULT

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

SUMMARY:

Please refer to LD 1322 as well for a comparison of two different approaches to the same issue.

LD 1457 proposed to establish the Office of Inspector General to:

- A. Conduct audits and investigations of the expenditures of public funds,
- B. Review legislation and proposed laws and rules and their effect on the prevention or detection of fraud and abuse,
- C. Recommend policies to prevent or detect fraud and abuse, and