

MAINE STATE LEGISLATURE

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STATE OF MAINE
113TH LEGISLATURE
SECOND REGULAR SESSION



BILL SUMMARY
JOINT STANDING COMMITTEE
ON
STATE & LOCAL GOVERNMENT
PART I - STATE GOVERNMENT

MAY 1988

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**ONE HUNDRED AND THIRTEENTH LEGISLATURE
FIRST & SECOND SPECIAL SESSIONS
SECOND REGULAR SESSION**

**JOINT STANDING COMMITTEE
BILL SUMMARIES
MAY 1988**

This document is a compilation of the bill summaries prepared by this office for the Joint Standing Committees and Joint Select Committees of the Maine Legislature. The summaries are arranged by LD number under each committee.

All Adopted Amendments are listed, by paper number (e.g., H-584 or S-222), together with the sponsor for floor amendments. Final action is listed to the right of the title. If final House and Senate action differ, both are listed. Committee Reports and Floor Action are indicated as follows::

OTP	Ought to Pass
OTP-ND	Ought to Pass in New Draft
OTP-ND-NT	Ought to Pass in New Draft, New Title
OTP-A	Ought to Pass as Amended
ONTP	Ought Not to Pass
LVWD	Leave to Withdraw
INDEF PP	Indefinitely Postponed

Each individual summary was prepared by the analyst assigned, as noted for each committee. But, this document was produced by the efforts of all the office staff, including Secretaries: Charlene Brann, Janet Jean, Earl Knox, Valarie Parlin; Research Assistant Hartley Palleschi. Finally, Secretary Laurette Knox, Legal Assistant Carolyn Chick, and Research Assistant Robert Dunn had special responsibilities in the preparation of the overall document.

Please give us your suggestions and comments on these summaries and tell us of any inaccuracies.

LD RESOLUTION, Proposing an Amendment to the Constitution of CON RES
 2571 Maine to Make the Language of the Constitution Gender- 003
 Neutral

<u>SPONSOR(S)</u>	<u>COMMITTEE REPORT</u>	<u>AMENDMENTS ADOPTED</u>
DIAMOND		H-521 CARROLL
CLARK N		H-579 CARROLL
PERKINS		S-360 BUSTIN
FOSTER		

SUMMARY

New Draft, Majority Report of LD 1949.

The original bill, LD 1949, proposed to amend the Maine Constitution and to authorize the Chief Justice of the Maine Supreme Court (Chief Justice McKusick) to "... arrange the Constitution ... causing the language to be gender neutral." The language revisions would be provided to the Legislature for approval in 1989. The Chief Justice would not make any other changes in the Constitution.

This amendment would be voted upon by the electorate in November of 1988.

LD 2571, the new draft of LD 1949, maintains the tradition of electorate approval of amendments to the Maine Constitution, including changes in language. This new draft amends the Constitution and changes male gender references to neutral gender references. The electorate will vote on the proposed changes in the November 1988 election. The amendments to LD 2571 clarified roughly 10 gender-neutral references and added a fiscal note.

LD Resolve, Authorizing the Sale of Certain Public Lands ONTP
 2577 Located in the City of Portland

<u>SPONSOR(S)</u>	<u>COMMITTEE REPORT</u>	<u>AMENDMENTS ADOPTED</u>
GILL	ONTP	
BRANNIGAN		

SUMMARY

This resolve authorized the Commissioner of Administration, through the Bureau of Public Improvements, to undertake on behalf of the State the sale of property located in the City of Portland, for which neither the Department of Mental Health and Mental Retardation, to which the property is currently entrusted, nor any other state agency has any current or anticipated need.

After conducting an appropriate legal title search and obtaining a market value appraisal, the commissioner would advertise the property for sale to the highest bidder, while retaining the right to reject any or all bids in the event that in the commissioner's judgment the bids were unresponsive.

Net proceeds from the sale would have been deposited as undedicated General Fund revenue of the State.

Testimony concerned the sale of an asset that has been appreciating at a rapid rate for funding state government. Many opponents argued that government operations should not be funded from the sale of capital assets.

LD An Act to Make Certain Personnel Records Maintained by the PUBLIC
2581 Bureau of Human Resources Available to the Bureau of 673
 Employee Relations

<u>SPONSOR(S)</u>	<u>COMMITTEE REPORT</u>	<u>AMENDMENTS ADOPTED</u>
TUTTLE GOULD R R CARROLL WEYMOUTH		

SUMMARY

New Draft Of LD 1985

LD 1985 proposed that confidential state employee records maintained by the Bureau of Human Resources in the Department of Administration be made available to the Bureau of Employee Relations. The Bureau of Employee Relations (BOER) and the Maine State Employees Association (MSEA) want access to employee records for disciplinary proceedings, and other proceedings relating to employees.

LD 2581 provides a process by which confidential information may be provided to BOER and MSEA and, at the same time, protect the employees about whom the confidential information pertains.

This new draft allows the introduction of state employee confidential information in closed proceedings in which the Bureau of Employee Relations, a state employee or employees or an organization representing the state employee are parties. These proceedings include negotiation, arbitration, mediation grievance proceedings, human rights, unemployment compensation, workers' compensation and labor relations proceedings.

The confidential information provided for these proceedings is required to be directly related to the proceedings. The Director of Human Resources will make the decision with respect to the type of information that will be disclosed following receipt of a written request for specific information from the Director of Employee Relations. A copy of this request for confidential information will be provided to the state employee or employees and the employee organization representing the employee in grievance proceedings.