

STATE OF MAINE 117TH LEGISLATURE

FIRST REGULAR SESSION

BILL SUMMARIES JOINT STANDING COMMITTEE ON STATE AND LOCAL GOVERNMENT

AUGUST 1995

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ONE HUNDRED AND SEVENTEENTH LEGISLATURE FIRST REGULAR SESSION

SUMMARY OF LEGISLATION BEFORE THE JOINT STANDING COMMITTEES

AUGUST 1995

This document is a compilation of the bill summaries prepared by this office for the Joint Standing Committees of the Maine Legislature. The volume is organized alphabetically by committee; within each committee, the summaries are arranged by LD number. A subject index is provided at the beginning of each committee's summaries. The publication, <u>History and Final Disposition of Legislative Documents</u>, is helpful in determining to which committee any particular bill was referred.

In this document, the committee report or reports, the prime sponsor for each bill and the lead co-sponsor in each house if one has been designated are listed below each bill title. All adopted amendments are listed, by paper number, together with the sponsor for floor amendments. Final action on each bill is listed to the right of the title. Various categories of final action are abbreviated as follows:

CARRIED OVER	Bill carried over to Second Session
CON RES XXX	Chapter # of Constitutional Resolution passed by both Houses
CONF CMTE UNABLE TO AGREE	Committee of Conference unable to agree; bill died
DIED BETWEEN BODIES	House & Senate disagree; bill died
DIED ON ADJOURNMENT	Action incomplete when session ended; bill died
EMERGENCY	Enacted law takes effect sooner than 90 days
FAILED EMERGENCY ENACTMENT	Emergency bill failed to get 2/3 vote
FAILED ENACTMENT	Bill failed to get majority vote
FAILED MANDATE ENACTMENT	Bill imposing local mandate failed to get 2/3 vote
INDEF PP	Bill Indefinitely Postponed
ONTP	Ought Not to Pass report accepted
P&S XXX	Chapter # of enacted Private & Special Law
PUBLIC XXX	Chapter # of enacted Public Law
RESOLVE XXX	Chapter # of enacted Resolve
UNSIGNED	Not signed by Governor within 10 days
VETO SUSTAINED	Legislature failed to override Governor's Veto

These summaries were prepared by the analyst or analysts assigned to the committee. If more detailed information is needed on a bill, contact the committee analyst.

5581LHS

An Office of Advocacy is retained in the Department of Corrections and one for juvenile corrections is established in the Department of Health and Family Services. Juvenile delinquency prevention is limited to youths who have not been alleged to have committed a crime and is placed in the chapter dealing with child and family services. The remainder of the juvenile corrections functions are placed in a Bureau of Juvenile Corrections. Divisions are created for planning, probation, aftercare and facilities. The Juvenile Justice Advisory Group is given the total planning function for juvenile corrections and clarification is made that that group's implementation authority and the bureau's supervisory authority over planning is limited to the 3-year Comprehensive State Plan required by federal law and that the bureau's expenditure authority relative to outside funds is subject to group approval.

In Parts 0 and P this bill requires that in the first 2 years that the Department of Health and Family Services is responsible for juvenile corrections that the budget for staffing at the Maine Youth Center be reduced by 25% in the first year and 25% more in the 2nd year from the funding level in fiscal year 1995-1996. The amount of the reduction must be appropriated for the Bureau of Juvenile Corrections to contract with providers of community services to increase efforts in delinquency prevention, probation and aftercare.

This bill transfers from the Department of Corrections to the Department of Health and Family Services all of the expenditures, assets, liabilities, appropriations and allocations, rules, contracts and agreements, records, property and employees attributable to functions transferred to the Department of Health and Family Services. It directs the Revisor of Statutes to make any statutory corrections necessary to consistency of the statutes. It directs transitional activities concerning the budget and the functions of the departments involved. It directs the joint standing committee of the Legislature having jurisdiction over human resource matters to submit legislation needed to correct errors and inconsistencies.

In Part Q this bill establishes regional interdepartmental councils, modeled on the Interdepartmental Council established pursuant to Title 5, section 12004-L, subsection 9. The councils are funded by the participating agencies in proportion to their appropriations from the General Fund to the extent of \$1,000,000 per year per council. The effective date of the Part is November 1, 1995.

In Part R this bill transfers the Office of Rehabilitation Services from the Department of Education to the Department of Health and Family Services. The effective date of the Part is July 1, 1996.

In Part S this bill corrects cross-references and amends laws concerning the Office of Rehabilitation Services and enacts transition provisions. The effective date of this Part is July 1, 1996.

LD 1348	An Act to Reform the Process of Periodic Review	PUBLIC 488
	of Programs and Agencies	

SPONSOR(S)	COMMITTEE REPORT	AMENDMENTS ADOPTED
ROBICHAUD	OTP-AM	H-516

SUMMARY

This bill amends the State Government Evaluation and Justification Act. It authorizes legislative committees of jurisdiction to perform an initial review of each agency in accordance with a suggested schedule for review. The committee of jurisdiction submits a report of its recommendations to the Joint Standing Committee on Appropriations and Financial Affairs for consideration during the budget process. Following review of the committee of jurisdiction's report, the Joint Standing Committee on Appropriations and Financial Affairs may introduce legislation to implement necessary changes in the operations of the agency reviewed. The bill makes changes in the current schedule for agency review to permit the Legislature to adopt necessary rules and adjust its procedures prior to implementation of the new procedures established by this bill.

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COMMITTEE AMENDMENT "A" (H-516) replaces the original bill. The amendment repeals the previous sunset review process and establishes a new process in which the committees of jurisdiction conduct the program evaluations for agencies and independent agencies. The amendment also establishes new standards for review.

LD 1350 An Act to Repeal Boards That Have Not Filed Annual Reports PUBLIC 233 with the Secretary of State

SPONSOR(S) COMMITTEE REPORT AMENDMENTS ADOPTED OTP

SUMMARY

This bill is submitted in accordance with the provisions of the Maine Revised Statutes, Title 5, section 12006, subsection 2, which requires the Secretary of State to submit legislation by March 2nd of each biennium repealing boards that have not filed annual reports as required by the Maine Revised Statutes, Title 5, section 12005-A during either of the previous 2 calendar years.

Parts A and B repeal 2 boards that did not file annual reports covering calendar year 1994: the Agriculture Promotion Committee and the Maine Suspected Child Abuse and Neglect Council.

Part C removes a reference to regional councils of governments from the list of boards required to file annual reports. There is no mechanism for the Secretary of State to identify these local, self-funded entities and their membership qualification papers are not filed with the Secretary of State.

The Board of Visitors, Maine Correctional Center, did not file a report for 1994, but repealing its statute would also repeal all boards of visitors within the Department of Corrections, so it is not included in this legislation.

LD 1355 An Act to Establish Standards for Privatization Contracts ONTP

SPONSOR(S)	COMMITTEE REPORT	AMENDMENTS ADOPTED
BUSTIN	ONTP	

SUMMARY

This bill does the following.

- 1. It establishes the Department of Administrative and Financial Services as the overseer of contracts privatizing state services.
- 2. It limits those contracts to 5 years in duration.
- 3. It requires the contractor to pay a minimum wage that is the lesser of the wage paid by the State for a similar position and the average private sector wage rate for that position.
- 4. It requires the contractor to pay a percentage of employee health insurance costs at least equal to the percentage paid by the State.
- 5. It gives qualified state employees displaced by the contract priority for hiring by the contractor.
- 6. It requires the agency to provide a cost estimate for having regular agency employees provide the contract services.
- 7. It requires State Auditor certification of all privatization contracts.

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