MAINE STATE LEGISLATURE

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STATE OF MAINE 117TH LEGISLATURE

FIRST REGULAR SESSION

BILL SUMMARIES JOINT STANDING COMMITTEE ON STATE AND LOCAL GOVERNMENT

AUGUST 1995

MEMBERS:

*Sen. Jane A. Amero Sen. David L. Carpenter Sen. Susan W. Longley

*Rep. Beverly C. Daggett Rep. Douglas J. Ahearne Rep. William Lemke Rep. Jane W. Saxl Rep. Belinda A. Gerry Rep. Jon M. Rosebush Rep. Julie-Marie Robichaud Rep. Priscilla Lane Rep. Christine R. Savage Rep. Robert E. Yackobitz

*Denotes Chair

Staff:

Roy Lenardson, Legislative Analyst David C. Elliott, Principal Analyst

Office of Policy and Legal Analysis Room 101/107/135, 13 State House Station Augusta, ME 04333 (207)287-1670



Maine State Legislature OFFICE OF POLICY AND LEGAL ANALYSIS

State House Station 13, Augusta, Maine 04333 Telephone (207) 287-1670 Telecopier (207) 287-1275

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 Chapter # of Constitutional Resolution passed by both Houses CON RES XXX 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 Ought Not to Pass report accepted ONTP P&S XXX Chapter # of enacted Private & Special Law **PUBLIC XXX** Chapter # of enacted Public Law RESOLVE XXX Chapter # of enacted Resolve Not signed by Governor within 10 days **UNSIGNED 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

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.

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

PUBLIC 233

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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8. It has additional provisions relating to state employee conflicts of interest; giving first option on purchase of state recreational lands to municipalities; requiring the Departments of Human Services and of Mental Health and Mental Retardation to adopt additional rules concerning contracts for the provision of human services; and establishing a study commission to report back with an evaluation of public and private provision of human services in Maine.

An Act to Amend the Law to Reflect Recent Changes

ONTP

in the Joint Rules

SPONSOR(S)

COMMITTEE REPORT

AMENDMENTS ADOPTED

BUTLAND

ONTP

SUMMARY

This bill amends the State Government Evaluation and Justification Act to make the law consistent with recent changes in the Joint Rules of the 117th Legislature. The functions previously performed by the Joint Standing Committee on Audit and Program Review, which has been eliminated, are redistributed between the Joint Standing Committee on Appropriations and Financial Affairs and the appropriate policy committee of the Legislature. (See related bill, LD 1348)

LD 1375 An Act to Repeal the Law Regarding Access to Property via Abandoned Roads

PUBLIC 244

SPONSOR(S)

COMMITTEE REPORT

AMENDMENTS ADOPTED

JONES K

OTP-AM

H-276

SUMMARY

LD 1376

This bill repeals the law establishing a special hearing procedure within the judicial department for cases involving landlocked property created by public ways abandoned before September 3, 1965.

COMMITTEE AMENDMENT "A" (H-276) adds a fiscal note to the bill.

8

An Act to Make Any Recorded Tapes of Legislative Sessions or Legislative Hearings Public Information

ONTP

SPONSOR(S)

COMMITTEE REPORT

AMENDMENTS ADOPTED

GERRY

ONTP

MAJ

OTP-AM

MIN .

SUMMARY

This bill prohibits the alteration of any written or recorded material from the Senate, the House of Representatives, confirmation hearings or legislative hearings. The bill also requires that the original records be available for public inspection.

LD 1383 An Act to Establish Periodic Adjustments in the Mileage Reimbursements

PUBLIC 246

SPONSOR(S)

COMMITTEE REPORT

AMENDMENTS ADOPTED

DAGGETT

OTP-AM

H-291