

# MAINE STATE LEGISLATURE

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**STATE OF MAINE  
117TH LEGISLATURE**

**1ST SPECIAL SESSION**

**(NOVEMBER 28TH TO DECEMBER 1, 1995)**

**BILL SUMMARIES  
JOINT STANDING COMMITTEES**

**JUNE 1996**



**Maine State Legislature**  
**OFFICE OF POLICY AND LEGAL ANALYSIS**

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**ONE HUNDRED SEVENTEENTH LEGISLATURE**  
**FIRST SPECIAL SESSION**

*Summary Of Legislation Before The Joint Standing Committees*  
*June 1996*

We are pleased to provide this summary of bills that were considered by the 15 Joint Standing Committees of the Maine Legislature staffed by this office. The document is a compilation of bill summaries which describe each bill, committee amendments and other relevant amendments, as well as the final action taken on the bill. Also included are statistical summaries of bill activity this Session for the Legislature and each of its joint standing committees.

The document is organized for convenient reference to information on bills handled by the joint standing committees. It is organized alphabetically by committees and within committees by bill (LD) number. The committee report(s), prime sponsor for each bill and the lead co-sponsor(s), if designated, are listed below each bill title. All adopted amendments are listed by paper number. Two indices, a subject index and a numerical index by LD number are provided for easy reference to bills. They are located at the back of the document. A separate publication, History and Final Disposition of Legislative Documents, may also be helpful in providing information on the disposition of bills.

Final action on each bill is noted to the right of the bill title. The abbreviations used for various categories of final action are as follows:

- CARRIED OVER* .....*Bill carried over to Second Session*
- CONRES 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 finally passed Resolve*
- UNSIGNED* ..... *Not signed by Governor within 10 days*
- VETO SUSTAINED* ..... *Legislature failed to override Governor's Veto*

Please note the effective date for all non-emergency legislation enacted in the First Special Session (unless otherwise specified in a particular law) is March 1, 1996.

applies to pending recount requests. Chapter 506 directs the Joint Standing Committee on Legal and Veterans Affairs to report out legislation to the Second Regular Session of the 117th Legislature related to the recount process for referendum questions. The law was enacted as an emergency measure effective December 7, 1995.

**LD 1589**

**An Act to Implement the Recommendations of the Productivity Realization Task Force**

PUBLIC 502  
EMERGENCY

<u>Sponsor(s)</u>	<u>Committee Report</u>	<u>Amendments Adopted</u>
	OTP-AM MAJ	H-657
	OTP-AM MIN	H-660
		H-663
		H-664
		H-665
		H-668
		H-675
		H-676
		S-410
		S-411

LD 1589 was referred to the Joint Standing Committee on Appropriations and Financial Affairs. The bill proposed to implement the first round of recommendations of the Productivity Realization Task Force. The bill was 187 pages and contained numerous provisions, most of which were adopted. Additionally, 23 amendments were proposed, 10 of which were adopted. The enacted law is summarized below.

***Enacted law summary***

Public Law 1995, chapter 502 implements the first round of recommendations of the Productivity Realization Task Force. The law is designed to achieve savings during the 117th biennium. Chapter 502:

1. Makes supplemental appropriations from the General Fund and supplemental allocations from various dedicated funds for the biennium to implement recommendations of the task force.
2. Reorganizes the Department of Agriculture, Food and Rural Resources and establishes the Maine Potato Board as an independent public instrumentality separate from the department.
3. Reduces the number of regional service delivery areas in the Department of Human Services from 5 to 3.
4. Changes the Division of Public Health Nursing to the Public Health Nursing Program.
5. Repeals the Division of Dental Health.
6. Combines the Office of Child Care Coordination with Head Start and creates a new office called the Office of Child Care and Head Start. It also transfers the Office of Child Care and Head Start from the jurisdiction of the Bureau of Child and Family Services to the Division of Purchased and Support Services.

7. Combines the Bureau of Public Lands and Bureau of Parks and Recreation within the Department of Conservation into a single agency, the Bureau of Parks and Lands; establishes the Bureau of Parks and Lands within the Department of Conservation, defines the position of deputy director of the bureau, and specifies that the deputy director is appointed by the commissioner; and combines the Maine Geological Survey and the Natural Areas Program into a single unit, the Natural Resources Information and Mapping Center.
8. Requires periodic court determination of whether reasonable efforts have been made to prevent or eliminate the need for removal of a juvenile from the juvenile's home and as to whether continuation in the home is contrary to the welfare of the juvenile before the juvenile is committed to the Maine Youth Center or other out-of-home placement.
9. Requires a court to order a parent or guardian of a juvenile committed to the Maine Youth Center or to the Department of Human Services or placed on probation to pay for medical and other treatment provided to the juvenile except in a case of excessive hardship.
10. Abolishes the Division of Probation and Parole within the Department of Corrections and the position of Director of Probation and Parole and assigns certain probation and parole responsibilities to the Commissioner of Corrections and the Associate Commissioners of Corrections.
11. Clarifies the administrative structure at the associate commissioner level in the Department of Corrections by identifying one Associate Commissioner of Corrections responsible for adult services and one Associate Commissioner of Corrections responsible for juvenile services. The Director of Correctional Programs position is retitled to Director of Policy, Legislative and Information Services.
12. Requires a client participating in a halfway house program who is also permitted to participate in a work release program to pay the costs of board and the costs of transportation if arranged by the halfway house.
13. Authorizes the Governor to order that personnel and equipment of the state military forces be employed to design and construct a security fence around the Maine Youth Center.
14. Requires the Governor, when submitting the budget, to identify the positions that are authorized for less than 52 weeks as "Positions - Full-time Equivalent" and positions that are authorized for 52 weeks as "Positions - Legislative Count."
15. Transfers the State Cost Allocation Program from the Bureau of the Budget to the Division of Financial and Personnel Services within the Department of Administrative and Financial Services.
16. Provides for the financial order transfer of salary savings between departments and agencies if projected vacancies from turnover do not occur.
17. Authorizes the State Budget Officer to calculate and distribute specified deappropriations.
18. Authorizes the State Budget Officer to calculate and transfer the Unfunded Actuarial Liability and Retiree Health Insurance portions of the specified deappropriations to the appropriate accounts.
19. Makes appropriations from the General Fund in the form of reductions through salary savings.

20. Makes provisions for the reduction of Personal Services appropriation and allocation recommendations in future biennial budget submissions.
21. Authorizes the General Fund salary plan account to carry forward to June 30, 1997.
22. Authorizes the State Budget Officer to calculate and transfer the Retiree Health Insurance portion of the Personal Services savings from the productivity plans to the Retiree Health Insurance Fund.
23. Establishes the Retirement Unfunded Liability account in the Department of Administrative and Financial Services and authorizes the State Budget Officer to calculate and transfer the Unfunded Actuarial Liability portion of the Personal Services savings from the productivity plans to the Retirement Unfunded Liability account.
24. Makes provisions for the allotment of funds in the Retirement Unfunded Liability account.
25. Creates 3 administrative clusters to handle various administrative functions for multiple agencies to create cost savings and efficiency.
26. Restores the Department of Professional and Financial Regulation's productivity plan.
27. Clarifies the distribution of revenues dedicated to the Allagash Wilderness Waterway.
28. Specifies that a state employee may not be prevented or impeded from contributing to the study conducted by the Productivity Realization Task Force.
29. Prohibits the Productivity Realization Task Force from including the closure of any mental health facility in any of its future recommendations.
30. Prohibits the Productivity Realization Task Force or the Governor from including any further budget reductions or the elimination of any program in the Governor Baxter School for the Deaf until March 1, 1996.
31. Provides for a retirement incentive for state employees meeting certain requirements and requires that the position left vacant as a result of any state employee exercising the option either remains vacant or another position in the department or agency or elsewhere in State Government remains vacant until the costs associated with the retirement have been recovered.

Chapter 502 was enacted as an emergency measure effective November 30, 1995.