

MAINE STATE LEGISLATURE

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STATE OF MAINE
127TH LEGISLATURE
SECOND REGULAR SESSION



Summaries of bills, adopted amendments and laws enacted or finally passed

**JOINT STANDING COMMITTEE ON STATE AND
LOCAL GOVERNMENT**

May 2016

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LEGISLATIVE DIGEST OF BILL SUMMARIES AND ENACTED LAWS

This *Legislative Digest of Bill Summaries and Enacted Laws* contains summaries of all LDs and adopted amendments and all laws enacted or finally passed during the Second Regular Session of the 127th Maine Legislature.

The *Digest* is arranged alphabetically by committee and within each committee by Legislative Document (LD) number. The committee report(s), prime sponsor and lead co-sponsor(s), if designated, are listed below each LD title. All adopted amendments are summarized and listed by paper number. A subject index is included with each committee. An appendix provides a summary of relevant session statistics.

Final action on each LD is noted to the right of the LD title. The following describes the various final actions.

CARRIED OVER..... carried over to a subsequent session of the Legislature
CON RES XXX..... chapter # of constitutional resolution passed by both houses
CONF CMTE UNABLE TO AGREE..... Committee of Conference unable to agree; legislation died
DIED BETWEEN HOUSES..... House & Senate disagreed; legislation died
DIED IN CONCURRENCE..... defeated in each house, but on different motions; legislation died
DIED ON ADJOURNMENT..... action incomplete when session ended; legislation died
EMERGENCY..... enacted law takes effect sooner than 90 days after session adjournment
FAILED, EMERGENCY ENACTMENT or PASSAGE..... emergency failed to receive required 2/3 vote
FAILED, ENACTMENT or FINAL PASSAGE..... failed to receive final majority vote
FAILED, MANDATE ENACTMENT..... legislation proposing local mandate failed required 2/3 vote
HELD BY GOVERNOR..... Governor has not signed; final disposition to be determined at subsequent session
LEAVE TO WITHDRAW..... sponsor's request to withdraw legislation granted
NOT PROPERLY BEFORE THE BODY..... ruled out of order by the presiding officer; legislation died
INDEF PP..... indefinitely postponed; legislation died
ONTP, ACCEPTED, MAJORITY, MINORITY or REPORT X... ought-not-to-pass report accepted; legislation died
P&S XXX..... chapter # of enacted private & special law
PUBLIC XXX..... chapter # of enacted public law
RESOLVE XXX..... chapter # of finally passed resolve
VETO SUSTAINED..... Legislature failed to override Governor's veto

The effective date for non-emergency legislation enacted in the First Regular Session of the 127th Legislature is July 29, 2016. The effective date for legislation enacted as an emergency measure may be found in the enacted law summary for that legislation.

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Director of Human Resources submit the cost items for inclusion in the Governor's next operating budget within 10 days after action on the report recommending the adjustment.

7. It specifies that salary increases within an established range must be based upon meritorious performance, which is defined as performance that exceeds satisfactory performance.

8. It provides that, in hiring an employee who has not been employed by the executive branch within the immediately preceding 12 months, an agency may offer and pay a one-time recruitment bonus to the new employee that is subject to the discretion of the agency and is removed from collective bargaining.

LD 1664 An Act To Enable the State To Hire Qualified Applicants for Vital State Jobs **Accepted Majority (ONTP) Report**

<u>Sponsor(s)</u>	<u>Committee Report</u>	<u>Amendments Adopted</u>
WHITTEMORE R	ONTP OTP	

This bill makes the following changes to the law relating to recruitment, hiring and retention of state employees.

Current law provides that the Director of Human Resources within the Department of Administrative and Financial Services may establish policies and procedures to allow departments and agencies to administer the tests and to interview persons taking the tests. This bill provides that the director may establish policies and procedures to allow departments and agencies to administer tests and conduct interviews.

Current law provides that an application for a position in State Government may not be rejected solely because the applicant lacks educational qualifications and specifies that acceptable equivalent combinations of appropriate experience or education may be substituted for formal educational qualifications, except where the educational qualifications are reflected in necessary registrations or federal standards. This bill repeals that provision.

LD 1668 An Act To Facilitate Internal Hiring by Reforming the Use of Registers in the State Civil Service System **PUBLIC 442**

<u>Sponsor(s)</u>	<u>Committee Report</u>	<u>Amendments Adopted</u>
VOLK A	OTP-AM	S-449

This bill makes the following changes to the law relating to recruitment, hiring and retention of state employees.

1. It specifies that, prior to implementing procedures regarding developing and implementing a system of registers of eligible persons, the Director of Human Resources within the Department of Administrative and Financial Services is required to meet and consult with collective bargaining representatives of affected employees.

2. Current law limits the length of time a person in a temporary position may remain in that temporary position to no more than one year. This bill removes that limitation.

3. It eliminates the requirement that the Director of Human Resources place the names of eligible persons on the register in order of their ratings.

4. It repeals language providing that a person may not be removed from the register of eligible persons for failure to respond in less than three months' time to a written inquiry of the Director of Human Resources or appointing authority regarding availability for appointment. It also repeals language providing that a person may not be

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removed from the register of eligible persons for failure to be appointed to a position following certification.

5. It specifies that the Director of Human Resources within the Department of Administrative and Financial Services may grant an extension of temporary employment beyond one year to a person in a temporary position when the extension is warranted by unusual circumstances.

Committee Amendment "A" (S-449)

This amendment specifies that the Director of Human Resources within the Department of Administrative and Financial Services may grant an extension of temporary employment beyond one year to a person in a temporary position when the extension is warranted by unusual circumstances.

Enacted Law Summary

Public law 2015, chapter 442 makes the following changes to the law relating to recruitment, hiring and retention of state employees.

1. It specifies that, prior to implementing procedures regarding developing and implementing a system of registers of eligible persons, the Director of Human Resources within the Department of Administrative and Financial Services is required to meet and consult with collective bargaining representatives of affected employees.
2. It specifies that the Director of Human Resources within the Department of Administrative and Financial Services may grant an extension of temporary employment beyond the one year limitation in current law to a person in a temporary position when the extension is warranted by unusual circumstances.
3. It eliminates the requirement that the Director of Human Resources place the names of eligible persons on the register in order of their ratings.
4. It repeals language providing that a person may not be removed from the register of eligible persons for failure to respond in less than three months' time to a written inquiry of the Director of Human Resources or appointing authority regarding availability for appointment. It also repeals language providing that a person may not be removed from the register of eligible persons for failure to be appointed to a position following certification.
5. It specifies that the Director of Human Resources within the Department of Administrative and Financial Services may grant an extension of temporary employment beyond one year to a person in a temporary position when the extension is warranted by unusual circumstances.

LD 1679 An Act To Increase the Salary of the Governor and the Salary of Legislators upon Reduction in the Size of the Legislature

Accepted Majority (ONTP) Report

Sponsor(s)
DUNPHY L

Committee Report
ONTP
OTP-AM

Amendments Adopted

This bill increases the Governor's salary from \$70,000 per year to \$150,000 per year beginning January 2019.

The bill also increases the salaries of members of the Senate and House of Representatives by 25% if the number of members of the Senate is reduced to 25 or fewer and the number of members of the House of Representatives is reduced to 100 or fewer.

Committee Amendment "A" (H-646)

This amendment is the minority report of the committee. It removes language from the bill that removes the