

# MAINE STATE LEGISLATURE

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# 119th MAINE LEGISLATURE

## SECOND REGULAR SESSION-1999

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Legislative Document

No. 2275

H.P. 1628

House of Representatives, December 10, 1999

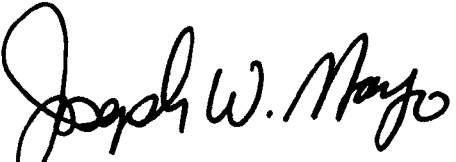
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**An Act to Amend the Laws Governing the Work Center Product and Services Set Aside.**

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Submitted by the Department of Administrative and Financial Services pursuant to Joint Rule 204.

Received by the Clerk of the House on December 8, 1999. Referred to the Committee on State and Local Government pursuant to Joint Rule 308.2 and ordered printed pursuant to Joint Rule 401.

  
JOSEPH W. MAYO, Clerk

Presented by Representative WESTON of Montville.  
Cosponsored by Representatives: AHEARNE of Madawaska, BUMPS of China.

Be it enacted by the People of the State of Maine as follows:

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Sec. 1. 5 MRSA §1826-B, sub-§2, as enacted by PL 1985, c. 359, §3, is amended to read:

2. **Work center.** "Work center" means ~~a--rehabilitation facility--or--that--part--of--a--rehabilitation--facility--engaged--in production--or--service--operation--for--the--primary--purpose--of providing--gainful--employment--as--an--interim--step--in--the rehabilitation--process--for--those--who--cannot--be--absorbed--readily in--the--competitive--labor--market--or--during--such--time--as--employment opportunities--for--them--in--the--competitive--labor--market--do--not exist~~ a program that provides vocational rehabilitation services to individuals with disabilities to enable those individuals to maximize their opportunities for employment, including career advancement. For the purposes of sections 1826-A to 1826-D, a work center shall must meet the following conditions:

~~A.--Is--certified--as--a--regular--work--program--or--work--activity center--by--the--wage--and--hour--division--of--the--United--States Department--of--Labor--or--by--the--State--Department--of--Labor;~~

B. Has complied with occupational health and safety standards required by the laws of the United States or this State;

C. Employs during the fiscal year in commodity production or service provision disabled persons at a quota of not less than 66% of the total hours of direct labor on all production, whether or not government related; and

D. Has, or is part of, an ongoing placement program which that includes at least preadmission evaluation and annual review to determine each worker's capability for normal competitive employment and maintenance of liaison with the appropriate community services for the placement in the employment of any of its workers who may qualify for that placement.

Sec. 2. 5 MRSA §1826-C, sub-§1, as amended by PL 1995, c. 560, Pt. F, §5 and Pt. K, §82 and affected by Pt. K, §83, is further amended to read:

1. **Committee established.** There is established the Work Center Purchases Committee, consisting of the State Purchasing Agent, the Director of the Bureau of Rehabilitation Services, a representative of the Department of Mental Health, Mental Retardation and Substance Abuse Services, a representative of work centers, ~~a--disabled--person--and~~ and persons with disabilities. The total

2 number of members with disabilities on the committee must be a  
3 minimum of 5.

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#### 5 **SUMMARY**

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7 This bill amends the definition of "work center" to be  
8 consistent with the Federal Government and provider direction.  
9 This bill also increases the number of persons with disabilities  
10 to a minimum of 5 to improve representation on the Work Center  
Purchases Committee.