

MAINE STATE LEGISLATURE

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SECOND REGULAR SESSION

ONE HUNDRED AND THIRTEENTH LEGISLATURE

Legislative Document

No. 2323

S.P. 894 In Senate, February 22, 1988
Approved for Introduction by a Majority of the Legislative
Council pursuant to Joint Rule 26.

Reference to the Committee on State and Local Government
suggested and ordered printed.

JOY J. O'BRIEN, Secretary of the Senate

Presented by Senator BUSTIN of Kennebec.

Cosponsored by Representative ROLDE of York, Senator
MAYBURY of Penobscot, Representative JOSEPH of Waterville.

STATE OF MAINE

IN THE YEAR OF OUR LORD
NINETEEN HUNDRED AND EIGHTY-EIGHT

1 RESOLVE, to Establish the Commission on
2 State Standards for Personal Service
3 Contracts.
4

5 Commission established; study. Resolved: That
6 there is established the Commission on State Standards
7 for Personal Service Contracts which shall conduct a
8 study, including, but not limited to, the following:

1 1. The range of services which are provided by
2 the State through purchased contractual services;

3 2. The standards which the departments, state
4 agencies or the State Purchasing Agent applies to
5 personal service contracts;

6 3. The extent to which personal service contracts
7 are subject to a competitive bidding process;

8 4. Whether such services should be more
9 appropriately provided by civil servants or private
10 contractors; and

11 5. Whether standards for personal service
12 contracts need to be developed which consider cost
13 savings, relationship to state and industry pay rates
14 and benefits, displacement of civil service employees,
15 employee qualifications, affirmative action efforts,
16 economic risks to the State, competitive bidding and
17 any other factors which affect the integrity of the
18 civil service system and the public interest; and be
19 it further

20 **Membership; appointment. Resolved:** That the
21 commission shall consist of 12 members, as follows:
22 Five members of the House of Representatives to be
23 appointed by the Speaker of the House and 3 Senators
24 to be appointed by the President of the Senate, all of
25 whom shall be or have been members of the Joint
26 Standing Committee on Audit and Program Review; one
27 member representing the American Federation of State,
28 County and Municipal Employees; one member
29 representing the Maine State Employees Association;
30 and 2 members who are state employees responsible for
31 administration of state personal service contracts to
32 be appointed by the Governor. The appointing
33 authorities shall make the appointments within 30 days
34 of the effective date of this resolve and shall notify
35 the Legislative Council in writing of their
36 selections. The Chairman of the Legislative Council
37 shall call the first meeting of the commission and the
38 commission shall select a chairman from among its
39 members; and be it further

1 Findings. Resolved: That the commission shall
2 present its findings in a report in accordance with
3 the Joint Rules, together with any necessary
4 recommended implementing legislation, to the First
5 Regular Session of the 114th Legislature; and be it
6 further

7 Compensation. Resolved: That legislative
8 members of the commission shall receive the
9 legislative per diem, as defined in the Maine Revised
10 Statutes, Title 3, section 2, for days of attendance
11 at commission meetings. If the commission meets on a
12 day when the Legislature is in session, legislative
13 members shall receive only one legislative per diem on
14 that day, but may be reimbursed for all necessary
15 expenses upon application to the Executive Director of
16 the Legislative Council; and be it further

17 Staff. Resolved: That the commission may
18 request staff assistance from the Legislative
19 Council. All agencies and departments of State
20 Government shall cooperate with the commission and
21 shall expeditiously provide the commission with the
22 information and materials that it needs to carry out
23 the purposes of this order; and be it further

24 Appropriation. Resolved: That the following
25 funds are appropriated from the General Fund to carry
26 out the purposes of this resolve.

27 1988-89

28 LEGISLATURE

29 Commission on State Standards
30 for Personal Service Contracts

31	Personal Services	\$4,160
32	All Other	2,350

33		
34	Total	<u>\$6,510</u>

35 This appropriation
36 provides funds for
37 anticipated
38 compensation, travel,

1 printing and
2 miscellaneous expenses
3 of the commission.

4 STATEMENT OF FACT

5 This resolve establishes the Commission on State
6 Standards for Personal Service Contracts to conduct a
7 study of the State's practices and standards for
8 personal service contracting. The commission will
9 report to the First Regular Session of the 114th
10 Legislature with recommendations on new standards
11 which will be intended to provide for the protection
12 of the public interest and the integrity of the civil
13 service system.

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