

MAINE STATE LEGISLATURE

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L.D. 1036
(Filing No. S-220)

**STATE OF MAINE
SENATE
114TH LEGISLATURE
FIRST REGULAR SESSION**

COMMITTEE AMENDMENT "A " to S.P. 391, L.D. 1036, Bill, "An Act to Protect the Integrity of the Civil Service System and to Set Standards for the Contracting of Service by the State"

Amend the bill by striking out all of the title and inserting in its place the following:

'Resolve, to Direct the Executive Branch to Develop a Special Review Process to Monitor Personal Services Contracts'

Further amend the bill by striking out everything after the title and before the statement of fact and inserting in its place the following:

'Emergency preamble. Whereas, Acts and resolves of the Legislature do not become effective until 90 days after adjournment unless enacted as emergencies; and

Whereas, it is necessary to ensure the timely provision of state services to the citizens of Maine; and

Whereas, State Government has the responsibility to provide services in an efficient and cost effective manner; and

Whereas, the public interest is best served by maintaining the integrity of a civil service system which is able to effectively deliver a wide range of services; and

Whereas, it is often necessary for State Government to contract with nongovernmental organizations and the private sector to provide governmental services; and

Whereas, efficient contracting of state services requires appropriate standards and procedures; and

Whereas, it is necessary to review these standards and procedures as soon as possible in order to prepare recommendations to the Second Regular Session of the 114th Legislature; and

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Whereas, in the judgment of the Legislature, these facts create an emergency within the meaning of the Constitution of Maine and require the following legislation as immediately necessary for the preservation of the public peace, health and safety; now, therefore, be it

Sec. 1. Study. Resolved: That the Department of Administration, working jointly with employee organizations certified as the bargaining agents for state employees, shall study the efficiency and effectiveness of personal service contracts and their impact upon the State's work force. The Commissioner of Administration shall establish a special contract review procedure to monitor state services provided through the use of personal service contracts. The review procedure shall be used to determine whether services provided through personal service contracts are efficient and consistent with the public good. The review of personal service contracts of different departments shall include documentation of the need for personal service contracts, to include:

- 1. The substantiation of need and cost savings, if any, associated with these contracts;
- 2. The degree of quality of service; and
- 3. The impact of these contracts on the civil service system; and be it further

Sec. 2. Report. Resolved: That the Commissioner of Administration report the results of the review of personal service contracts to the Joint Standing Committee on State and Local Government, the Joint Standing Committee on Audit and Program Review and any other committee of the Legislature considered appropriate by the commissioner. The report shall be presented no later than March 1, 1990. The report shall contain findings and recommendations concerning the use of personal service contracts and the continuation and operation of the special review procedure established under this resolve.

Emergency clause. In view of the emergency cited in the preamble, this resolve shall take effect when approved.

FISCAL NOTE

The Department of Administration will be able to absorb, within existing budgeted resources, the costs of the study of the use of personal service contracts and the cost of the report to the Joint Standing Committee on Audit and Program Review.'

COMMITTEE AMENDMENT " A" to S.P. 391, L.D. 1036

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STATEMENT OF FACT

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This resolve directs the Commissioner of Administration, working with the employee organizations certified as the bargaining agent for state employees, to develop and implement appropriate standards and an orderly process for the review of certain personal service contracts.

Reported by Senator Berube for the Committee on State and Local Government. Reproduced and Distributed Pursuant to Senate Rule 12.
(6/6/89) (Filing No. S-220)