

MAINE STATE LEGISLATURE

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115th MAINE LEGISLATURE

SECOND REGULAR SESSION-1992

Legislative Document

No. 2329

S.P. 909

In Senate, February 13, 1992

Submitted by the Special Commission on Governmental Restructuring pursuant to Public Law 1991, chapter 139.

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

A handwritten signature in cursive script that reads "Joy J. O'Brien".

JOY J. O'BRIEN
Secretary of the Senate

STATE OF MAINE

IN THE YEAR OF OUR LORD
NINETEEN HUNDRED AND NINETY-TWO

**Resolve, to Establish a Mechanism for Assessing the Potential for
Privatization of State Services.**

(EMERGENCY)

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

Whereas, many services currently provided directly by State
Government may be more efficiently or more effectively provided
if those services were provided through contracts with regional
or local public agencies, nonprofit agencies or institutions or
for-profit corporations; and

Whereas, a method for assessing the potential for
privatizing or decentralizing services that includes review of
options and alternatives is needed; and

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. Administration. Resolved: That the Commissioner of
Administrative and Financial Services shall apply the evaluation
criteria for program and operations contracting, recommended by
the Special Commission on Governmental Restructuring, to identify
and comparatively evaluate alternatives to the following services
currently provided by the State:

A. The State's lottery operations;

B. The minimum security facilities, including prerelease
and detention centers and portions of juvenile services;

C. Outpatient, inpatient and support services in those areas
not already designated under the Augusta Mental Health
Institute Consent Decree, including the recommendations of
the Systems Assessment Commission, reported pursuant to
Public Law 1989, chapter 501, Part BB, section 8;

D. Developmental services including those currently
provided by Pineland, the Elizabeth Levinson Center, the
Bath Children's Home and the Aroostook Residential Center;

E. Laboratory services in the areas of marine resources,
water quality testing, agricultural products testing and
other public health areas;

F. The property management services provided by the Bureau
of Public Improvements, Property Management Division; and

G. Administrative services including the Department of
Human Services, Bureau of Medical Services, operation of the

2 state Medicaid bills processing system; building and grounds
3 maintenance; state motor vehicle acquisition; the Department
4 of Administrative and Financial Services' printing and
5 publishing services; and risk management services; and be it
6 further

7 **Sec. 2. Review. Resolved:** That the Commissioner of
8 Administrative and Financial Services shall review the service
9 areas described in section 1 as follows:

10 A. The review of current services and the evaluation of
11 alternatives in the service areas of lottery operations and
12 laboratory facilities must be completed by January 15, 1993;

13 B. The review of current services and the evaluation of
14 alternatives in the institutional service areas must be
15 completed by January 15, 1994; and

16 C. The review of current services and the evaluation of
17 alternatives in the administrative service areas described
18 in section 1, paragraphs F and G must be completed by
19 January 15, 1995; and be it further

20 **Sec. 3. Provision of information. Resolved:** That the
21 departments, divisions and agencies affected by the Commissioner
22 of Administrative and Financial Services' review shall provide
23 requested information and staff support to the commissioner to
24 the fullest extent possible; and be it further

25 **Sec. 4. Evaluation. Resolved:** That when evaluating the
26 contracting alternatives to services currently provided by the
27 State, the Commissioner of Administrative and Financial Services
28 shall consider how the State could obtain greater efficiencies,
29 improved quality and savings through the involvement of rank and
30 file employees by using a total quality management approach; and
31 be it further

32 **Sec. 5. Progress reports. Resolved:** That the Commissioner of
33 Administrative and Financial Services shall make quarterly
34 progress reports and a final report for each tier of services
35 reviewed and evaluated to the Joint Standing Committee on
36 Appropriations and Financial Affairs and the Executive Director
37 of the Legislative Council. The commissioner's final reports
38 must include recommendations, including rationale and projected
39 savings if the recommendations are implemented and necessary
40 legislation. The final reports for each tier are due no later
41 than 10 days after the required completion date as described in
42 section 2.

43 **Emergency clause.** In view of the emergency cited in the
44 preamble, this resolve takes effect when approved.
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STATEMENT OF FACT

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4 This resolve is one of the measures submitted by the Special
Commission on Governmental Restructuring. The resolve requires
6 the Commissioner of Administrative and Financial Services to
evaluate the following services for possible subcontracting or
privatization: lottery, corrections, mental health,
8 developmental services, laboratory services, property management
and other miscellaneous administrative functions.

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