

# MAINE STATE LEGISLATURE

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# 117th MAINE LEGISLATURE

## FIRST REGULAR SESSION-1995

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Legislative Document

No. 147

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H.P. 112

House of Representatives, January 17, 1995

**An Act to Privatize the Health and Environmental Testing Laboratory  
within the Department of Human Services, Bureau of Health.**

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Reference to the Committee on Human Resources suggested and ordered printed.

A handwritten signature in cursive script that reads "Joseph W. Mayo".

JOSEPH W. MAYO, Clerk

Presented by Representative WHITCOMB of Waldo.

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

4 **Sec. 1. 22 MRSA §568**, as enacted by PL 1991, c. 499, §2 and  
affected by §26, is amended by adding at the end a new paragraph  
to read:

6 By June 1, 1997 and June 1st of every succeeding year, the  
8 State Treasurer shall transfer \$50,000 from the Health and  
10 Environmental Testing Laboratory Special Revenue Account to the  
General Fund.

12 **Sec. 2. 22 MRSA §569** is enacted to read:

14 **§569. Competitive bid process**

16 Beginning July 1, 1996, the department shall contract for  
18 the performance of the services and duties of the Health and  
Environmental Testing Laboratory.

20 **1. Process for bidding, awards and contracts.** All  
22 contracts must be bid and awarded and the contracts entered into  
by the Bureau of General Services in accordance with the  
24 competitive bid process contained in Title 5, chapter 155,  
subchapter I-A.

26 **2. Involvement of the department.** The Bureau of General  
28 Services shall consult with the department prior to requesting  
bids and shall review all bids with the department prior to  
awarding contracts.

30 **3. Contract information.** The department shall provide to  
32 the Bureau of General Services for use in the competitive bid  
process a description of the services currently provided and a  
34 description of the services required to be performed during the  
next contract period.

36 **4. Contract period.** The time period for the first contract  
38 must be 3 years.

40 **5. Report.** By January 1, 1999, and every 2 years  
42 thereafter, the department shall report to the joint standing  
committee of the Legislature having jurisdiction over state and  
44 local government matters on the terms and performance of any  
contract entered into under this section.

46 **6. Conditions precedent.** The requirement of this section  
48 that the department use a competitive bid process for the  
services and duties of the Health and Environmental Testing  
50 Laboratory takes effect only if the following conditions are met:

2 A. By October 5, 1995, the department shall submit to the  
4 Bureau of General Services information stating the costs of  
the Health and Environmental Testing Laboratory and the  
projected costs during the first contract period;

6 B. By January 1, 1996, the Bureau of General Services shall  
8 submit a report on the use of a competitive bid process for  
the services and duties of the Health and Environmental  
10 Testing Laboratory to the joint standing committee of the  
Legislature having jurisdiction over state and local  
12 government matters. The report must document savings to the  
department from the use of the competitive bid process of  
\$50,000 per year; and

14  
16 C. By February 1, 1996, the joint standing committee of the  
Legislature having jurisdiction over state and local  
18 government matters shall review the report of the Bureau of  
General Services and a majority of those members present and  
20 voting must vote to approve using the competitive bid  
process. The Executive Director of the Legislative Council  
22 shall provide to the department, the Bureau of General  
Services and the Revisor of Statutes a copy of the record of  
the vote of approval.

## 26 STATEMENT OF FACT

28 This bill establishes a competitive bid process for the  
30 Health and Environmental Testing Laboratory of the Department of  
Human Services. It places responsibility for the bid process in  
32 the Bureau of General Services. It requires a report to the  
State and Local Government Committee documenting that savings of  
34 \$50,000 per year are possible and a vote of the committee  
approving the use of the competitive bid process in order for the  
36 legislation to take effect. It requires \$50,000 per year to be  
transferred from the Health and Environmental Testing Laboratory  
Special Revenue Account to the General Fund.