

MAINE STATE LEGISLATURE

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LAWS

OF THE

STATE OF MAINE

AS PASSED BY THE

ONE HUNDRED AND FOURTEENTH LEGISLATURE

FIRST REGULAR SESSION

December 7, 1988 to July 1, 1989

THE GENERAL EFFECTIVE DATE FOR
NON-EMERGENCY LAWS IS
SEPTEMBER 30, 1989

PUBLISHED BY THE REVISOR OF STATUTES
IN ACCORDANCE WITH MAINE REVISED STATUTES ANNOTATED,
TITLE 3, SECTION 163-A, SUBSECTION 4.

J.S. McCarthy Company
Augusta, Maine
1989

RESOLVES
OF THE
STATE OF MAINE

AS PASSED AT THE
FIRST REGULAR SESSION

of the
ONE HUNDRED AND FOURTEENTH LEGISLATURE

1989

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

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.

Effective June 19, 1989.

CHAPTER 32

H.P. 1210 - L.D. 1682

Resolve, to Protect and Preserve Certain Property in Saco Owned by the Finance Authority of Maine

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

Whereas, the Finance Authority of Maine is the owner of certain property located in Saco between Flag Pond Road, the Maine Turnpike and the Saco and Scarborough town line, which property was formerly used to deposit wastes from a leather tannery and is commonly known as the Saco Tannery Waste Pits Site; and

Whereas, the United States Environmental Protection Agency, EPA, has placed the site on the national priorities list, making the site eligible to receive Federal Superfund money for remedial action; and

Whereas, EPA has requested, as a precondition to issuing its record of decision establishing the remedial action plan for the site, that the Legislature enact necessary controls to assure that the site is not developed or disturbed in any way that might result in the release or exposure of contaminants in the future; and

Whereas, legislative action must be taken promptly in order that the EPA record of decision can be issued and remedial action begun as promptly as possible; 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

Preserve created. Resolved: That the property currently owned by the Finance Authority of Maine and located in Saco is hereby designated a wildlife preserve, upon which no development shall be undertaken and no disturbance of the surface of the ground may take place other than as may be necessary to isolate, protect and remediate the wastes currently located on the property.

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

Effective June 19, 1989.
