

MAINE STATE LEGISLATURE

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STATE OF MAINE
ONE HUNDRED AND ELEVENTH LEGISLATURE
FIRST REGULAR SESSION

JOINT STANDING COMMITTEE ON
STATE GOVERNMENT
BILL SUMMARY



JULY, 1983

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893

AN ACT CONCERNING THE POWER OF
STATE COMMISSIONERS TO TERMINATE
UNCLASSIFIED EMPLOYEES

Willey

LV/WD

SUMMARY: ID 893 proposed to treat unclassified employees in the same manner as classified employees with respect to dismissal. An appointing authority, except the Governor, could not dismiss an unclassified employee except for cause.

There are basically 3 broad categories of unclassified employees. One group consists of major policy-makers as defined in 5 MRSA §711, sub-§2. The major policy-makers include, but not in entirety, deputy commissioners, bureau directors, chief legal counsels, etc.. Often times this group is referred to as 2nd, 3rd, and 4th level policy-makers. The major policy-makers serve at the pleasure of the appointing authority.

The second group of unclassified employees, consisting of roughly 530 employees are, engaged in lesser-policy-making as well as non-policy making positions. This group of employees is included in collective bargaining agreements between the State and the MSEA. This group of employees may be removed only for cause.

The third group of unclassified employees, consisting of roughly 430 people, includes unclassified employees who are not major policy makers and who are not included in MSEA collective bargaining agreements. The law is very unclear with respect to the disciplining and removal of this group of employees.

894

AN ACT TO PROVIDE FOR COMPETITIVE
BIDDING ON PUBLIC IMPROVEMENTS

Jacques

LV/WD

SUMMARY: ID 894 proposed that the Bureau of Public Improvements use competitive bidding for professional services of architects and engineers for projects when these services are expected to cost in excess of \$1,000. The bureau of Public Improvements follows a procedure adopted by the 109th Legislature and which allows for the award of professional service contracts based on several variables of which price is only one variable.