

MAINE STATE LEGISLATURE

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STATE OF MAINE
114TH LEGISLATURE
FIRST REGULAR SESSION



BILL SUMMARY
JOINT STANDING COMMITTEE
ON
STATE AND LOCAL GOVERNMENT
PART I - STATE GOVERNMENT

JULY 1989

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ONE HUNDRED AND FOURTEENTH LEGISLATURE
FIRST REGULAR SESSION

JOINT STANDING COMMITTEE
BILL SUMMARIES
AUGUST 1989

This document is a compilation of the bill summaries prepared by this office for the Joint Standing Committees and Joint Select Committees of the Maine Legislature. The summaries are arranged by LD number for each committee.

All Adopted Amendments are listed, by paper number (e.g., H-584 or S-222), together with the sponsor for floor amendments. Final action is listed to the right of the title. If final House and Senate action differ, both are listed. Committee Reports and Floor Action are abbreviated as follows:

OTP	Ought to Pass
OTP-ND	Ought to Pass in New Draft
OTP-ND-NT	Ought to Pass in New Draft, New Title
OTP-A	Ought to Pass as Amended
ONTP	Ought Not to Pass
LVWD	Leave to Withdraw
INDEF PP	Indefinitely Postponed

Each individual summary was prepared by the analyst assigned, as noted for each committee. But, this document was produced by the efforts of all the office staff, including Research Assistant Barbara McGinn, and secretaries: Charlene Brann, and Valarie Parlin, and especially Laurette Knox who coordinated preparation of the overall document.

Please give us your suggestions and comments on these summaries and tell us of any inaccuracies.

Health. The Committee amended the bill to require that a licensed physician or a person eligible for licensure as a physician be appointed as the director.

The bill was amended in the House to include in the eligibility requirements for director, persons with a post-secondary degree in public health.

LD 1036 **Resolve, to Direct the Executive Branch to Develop a Special Review Process to Monitor Personal Services Contracts**

RESOLVE 31

SPONSOR(S)
BUSTIN
JOSEPH
WEBSTER C
NORTON

COMMITTEE REPORT
OTP-AM

AMENDMENTS ADOPTED
S-220

SUMMARY

LD 1036 proposed a procedure which state agencies would be required to follow prior to any award of a personal services contract to a private sector firm. The procedure:

- A. Required the state agency to show that the state will incur cost savings as a result of contracting for personal services with private sector firms.
- B. Required that proposals to contract with a private firm must show that the firm's wages are at the industry level and do not undercut state pay rates.
- C. Required that the proposed contract would not displace state employees or adversely affect the State's affirmative action program.
- D. Specified that a contractor's hiring practices conform to affirmative action and anti-discriminatory standards.

Personal services contracts would be permissible when:

- A. State employees could not perform the service.
- B. It is necessary to:
 - 1) avoid a conflict of interest;
 - 2) obtain an outside perspective;
 - 3) assure independent and unbiased findings.
- C. A contractor could provide equipment, materials, and facilities that the State cannot provide.
- D. Delay in the implementation of services would occur under the State and the services are urgently required.

The bill was amended to completely change it. The amendment requires the Department of Administration, working jointly with employee organizations, to study the efficiency and effectiveness of personal service contracts. The Commissioner will report his findings, including necessary implementing legislation to the Second Regular Session of the 114th Legislature, no later than March 1, 1990.