

MAINE STATE LEGISLATURE

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STATE OF MAINE
130TH LEGISLATURE
FIRST REGULAR AND FIRST SPECIAL SESSIONS



Disposition of bills and summaries of all laws enacted or finally passed

**JOINT STANDING COMMITTEE ON
STATE AND LOCAL GOVERNMENT**

December 2021

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JOINT STANDING COMMITTEE ON STATE AND LOCAL GOVERNMENT

LD 875 An Act To Protect Taxpayers in the Privatization of Services and To Establish the State Procurement Review Committee

ENACTED LAW SUMMARY

Public Law 2021, chapter 332 sets out requirements that must be met when a state agency seeks to enter into a contract to privatize services being provided by state agency employees. The requirements include:

1. Prior to issuing a request for proposals, an agency must determine the minimum wage rate it pays the employees providing the services, the percentage of health insurance plan coverage provided by the State for those employees and their dependents and the cost to the agency to provide the services;
2. The agency employees, through an employee organization, may submit a bid to provide the services;
3. An employee organization representing employees who will be displaced or terminated if the services are privatized may offer an amendment to the collective bargaining agreement that will lower the agency's cost to provide the services;
4. All bids and subsequent privatization contracts must pay the established minimum wage rate, provide comparable health insurance coverage and pay at least the same percentage for health insurance plan coverage as paid by the agency to employees providing the services and their dependents prior to the privatization;
5. The bid and successful contractor must offer employment to any agency employee displaced or terminated because of the privatization of services who meets the contractor's nondiscriminatory hiring criteria;
6. A privatization contract may not be executed if the total cost of the contract, including transition costs to move services from the agency to the contractor, is more than the agency's estimation of its cost to provide the services;
7. All calculations, documents and other relevant materials must be submitted to the Attorney General and the Attorney General may choose to review the materials and may request additional information during any such review;
8. An employee organization may request the Commissioner of Administrative and Financial Services review the written statement prepared by the agency seeking to privatize services. The Commissioner is required to provide a response to such a request within 15 business days, and the Commissioner's decision is considered final agency action for purposes of judicial review; and

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9. The Attorney General may intervene at any stage of the privatization process and has the authority to bring an action to prevent or enjoin privatization in appropriate cases.

Public Law 2021, chapter 332 also establishes the State Procurement Review Committee to oversee requests for proposals, contracts and grants and renewals, extensions, amendments and other alterations to existing contracts and grants valued over \$1,000,000. The Office of the Attorney General must be consulted when the value equals or exceeds \$3,000,000.

LD 1010 An Act To Establish the Maine Service Fellows Program

ENACTED LAW SUMMARY

Public Law 2021, chapter 155 establishes the Maine Service Fellows Program under the Maine Commission for Community Service. The commission is directed to design and implement the program in a manner that will increase the opportunities for citizens to devote a year of service to Maine communities; attract to and retain in Maine motivated adults who have completed a college degree within the prior five years to apply their skills and abilities to projects for the benefit of Maine citizens; provide rural and underserved Maine communities a resource to address critical health and human, public safety, education and environmental needs; and strengthen civic engagement of both the program participants and community residents through solutions based, in whole or in part in volunteer service. The commission is also required to establish an advisory committee to guide the launch of the program and to submit a report to the Joint Standing Committee of the Legislature having jurisdiction over state and local government matters no later than January 30, 2024.

LD 1034 An Act To Provide Funding To Support the Permanent Commission on the Status of Racial, Indigenous and Tribal Populations and To Establish Staffing For The Commission

ENACTED LAW SUMMARY

Public Law 2021, chapter 436 provides legislative per diem compensation and expense reimbursement to the members of the Permanent Commission on the Status of Racial, Indigenous and Tribal Populations. It establishes the position of executive director of the commission and authorizes the director to hire appropriate staff to support the work of the commission. It allocates funds to support the newly created positions and to support the work of the commission.

LD 1042 An Act To Protect State Workers from Exposure to Harmful Substances

ENACTED LAW SUMMARY

Public Law 2021, chapter 262 requires the Department of Administrative and Financial Services, Bureau of General Services to inventory all state-owned buildings where state employees perform job duties to determine the presence of asbestos, lead, black mold and other substances that may