

# MAINE STATE LEGISLATURE

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**STATE OF MAINE**

**REPORT**

**OF THE**

**ATTORNEY GENERAL**

for the calendar years  
**1951 - 1954**

January 29, 1954

To Honorable Burton M. Cross, Governor of Maine  
Re: Appointment and Term of Office of Chairman, Highway Commission

Section 3 of Chapter 20 of the Revised Statutes, as amended by Chapter 398 of the Public Laws of 1953, provides that the term of office of the chairman of the Highway Commission shall be seven years and that the chairman shall be appointed by the Governor. The question has been raised if the Governor must first nominate a person as a member of the Commission and then subsequently appoint him as chairman, after confirmation.

The tenure of office of the members of the Commission, not including the chairman, is for a term of three years. The term of office of the chairman is for seven years. It is therefore the opinion of this office that, consistent with the intent of the Legislature, the Governor can simultaneously nominate a member and designate him as chairman.

JAMES G. FROST  
Deputy Attorney General

February 2, 1954

To J. B. Dyer, Purchasing Agent  
Re: Bureau of Purchase Law

This is in response to your memo relative to an interpretation of the Bureau of Purchases Law, particularly Sections 36 and 37 of Chapter 14 of the Revised Statutes. Your memo was in the following terms:

"In an effort to improve the purchasing procedure in the Bureau of Purchases regarding certain supplies and materials it appears desirable to place some of our commodities on a requirement contract which will result in the grouping of certain types of commodities required by our institutions, basing our bids on a total quantity of an item to be delivered by the successful vendor to any of our institutions as required. Of immediate interest to this office is a bid on clothing. It is desired to totalize the quantity of each similar piece of clothing instead of listing these items against each institution, awarding the bid to one vendor who would supply to each of our institutions all of our requirements of the same item of clothing. We feel that in doing this we may be able to purchase at the greatest possible economy and benefit to the state due to larger quantities being supplied.

"Section 37 of the R. S., 1944 states: 'The state purchasing agent, in requesting bids for institutional supplies, shall list the articles on which bids are requested under the names of the institutions for which they are desired. Bids shall be made on any or all of the articles listed, each bid being made for the supply of a specific article or articles to the particular institution without reference to those otherwise listed.' This section was enacted into law because up to the time that the administrative code was formulated the Governor and Council were responsible for purchases, supplies and materials for the institutions. Each institution operated as a separate function. At a later date the Institutional Service Department was established and the Bureau of Purchases became the central purchasing agency for all of the institutions.