

MAINE STATE LEGISLATURE

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STATE OF MAINE
HOUSE OF REPRESENTATIVES (Filing No H-1202)
107TH LEGISLATURE
FIRST SPECIAL SESSION

HOUSE AMENDMENT "A" to H.P. 2278, L.D. 2339, Bill, "AN ACT to Reorganize the Standardization Committee."

Amend said Bill in the title by adding at the end before the period the following: 'as the Contract Review Committee'

Further amend said Bill by striking out everything after the enacting clause and inserting in place thereof the following:

'5 MRSA, §1814, as amended by P.L. 1969, c.300, §§2 and 3, is repealed and the following enacted in place thereof:

§1814. Contract Review Committee

A Contract Review Committee as heretofore established shall consist of the Governor or his representative, the State Purchasing Agent, 3 public members and one department or agency head, or his representative, designated by the Governor. The 3 public members shall not be state employees and shall be appointed by the Governor from a list of names provided by a recognized association representing professionals in the field of purchasing. The State Purchasing Agent shall be an ex officio member of the committee and shall not have a vote within the committee. The 3 public members and the department or agency head, or his representative, shall serve at the pleasure of the Governor.

The Governor or his representative, the State Purchasing Agent and the appointed department or agency head, or his representative shall serve on the Contract Review Committee without additional compensation but shall be reimbursed for expenses incurred in connection with such service. The 3 public members shall be paid the necessary expenses incurred in the performance of their duties, and in addition thereto, they shall each receive \$25 per day for attendance at committee meetings.

The State Purchasing Agent shall be the recording secretary of the Contract Review Committee and shall maintain a complete record of the minutes of every committee meeting. The committee shall meet at least semi annually and at such other times as the Commissioner of Finance and Administration may request or at such other times as may be deemed necessary by at least 3 members of the committee. Committee meetings shall be held at such locations as may be agreed upon by a majority of the members of the committee.

The per diem allowance and the expenses of the public members and the expenses of the Governor or his representative, the State purchasing Agent and the designated department or agency head or his representative for attendance at committee meetings, shall be paid from the appropriation of the State Bureau of Purchases.

It shall be the duty of the Contract Review Committee to advise the State Purchasing Agent and the Commissioner of Finance and Administration in the formulation, adoption and modification of the rules and regulations which shall prescribe the purchasing policy of the State and to assist the State Purchasing Agent in the formulation, adoption and modification of such specifications as may be deemed necessary for the procurement of services, supplies, materials and equipment required for use by the State or any department or agency thereof.

The committee shall review and approve all rules and regulations promulgated by the State Purchasing Agent before any rule and regulation shall become effective. Within 6 months after the effective date of this section, the committee shall review all rules and regulations presently in force which have been promulgated by the State Purchasing Agent and shall either approve or disapprove each of those rules and regulations.

Whenever the State Purchasing Agent does not accept the lowest bid submitted pursuant to the bidding process for a state contract, he shall file a report with the Chairman of the Contract Review Committee within one week after his action. This report shall state, in writing, his reasons for refusing to accept the lowest bid. The chairman of the committee shall, within one week of receiving any report under this section from the State Purchasing Agent, furnish copies of this report to

each member of the committee. The State Purchasing Agent shall maintain a copy of this report on file in his office and this report shall be available to the public at least 7 days before the contract which the report concerns is finally awarded.'

Statement of Fact

This amendment establishes the Standardization Committee as the Contract Review Committee.

This amendment also provides that the committee shall review regulations concerning purchasing before they take effect and sets forth reporting procedures for the bidding process when the lowest bid has not been accepted.

Filed by Mr. Jensen of Portland.

Reproduced and distributed under the direction of the Clerk of the House.
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