

MAINE STATE LEGISLATURE

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ONE HUNDRED AND EIGHTH LEGISLATURE

Legislative Document

No. 1604

H. P. 1389

House of Representatives, April 13, 1977

On Motion of Mr. Curran of South Portland, referred to the Committee on State Government. Sent up for concurrence and ordered printed.

EDWIN H. PERT, Clerk

Presented by Mr. Wilfong of Stow.

Cosponsor: Mr. Green of Auburn.

STATE OF MAINE

IN THE YEAR OF OUR LORD NINETEEN HUNDRED
SEVENTY-SEVEN

**AN ACT to Establish the Contract Review Board to Oversee the
Bureau of Purchases.**

Be it enacted by the People of the State of Maine, as follows:

Sec. 1. 5 MRSA § 1814, as last amended by PL 1969, c. 300, §§ 2 and 3, is repealed and the following enacted in its place:

§ 1814. **Contract Review Board**

There is hereby established the **Contract Review Board**, hereafter referred to as the "board."

1. **Definitions.** For the purposes of this section, the term "special contract" shall include all contracts for professional consultant services, for the conduct of any study, review or report of any state agency, or any contract including any of these services. For the purposes of this section the term "special grant" shall mean any grant given by any federal, private or corporate services for the purposes of conducting any study, review or report of any state agency or any programs conducted by any state agency. This section shall not apply to studies, contracts or grants made, entered into or specifically authorized by the legislative or judicial branch of State Government.

2. **Membership.** The board shall consist of 5 members: The State Purchasing Agent; the State Controller; the Chairman of the State Personnel Board or his designee and 2 members of the Legislative Council, one from each of the 2 major parties, appointed by the Legislative Council. Appointed

members of the board shall be appointed to serve during the term of the Legislature in which those appointments are made. Three members of the board shall constitute a quorum. Any vacancy in appointed membership of the board shall be filled in the original manner within one month after the occurrence of the vacancy. The board shall select a chairman from among its members who shall serve a term of one year. The 2 appointed members shall be paid the necessary expenses incurred in the performance of their duties and in addition thereto they shall each receive \$50 per diem for attendance at board meetings.

2. Secretariat. The Department of Finance and Administration shall serve as the secretariat of the board.

3. Duties. The board shall perform the following duties.

A. Review the award of any special contract or special grant by the State Purchasing Agent. The board shall, as soon as practicable after completing its review, either approve or disapprove the award of the contract or grant. In the event of disapproval, the board shall take action to ensure proper awarding of the contract or grant. The board may permit the State Purchasing Agent to award the contract or grant pursuant to its action, or may award the contract itself.

B. At some time during each calendar year the board, with the assistance of the Department of Audit, shall conduct a random check of special contracts and special grants and shall review the results of those contracts or grants.

Sec. 2. Appropriation. There is appropriated from the General Fund to the Department of Finance and Administration, Contract Review Board, the sum of \$48,000 to carry out the purposes of this Act. The breakdown shall be as follows:

	1977-78	1978-79
FINANCE AND ADMINISTRATION, DEPARTMENT OF		
Contract Review Board		
Personal Services	(2) \$18,000	(2) \$24,000
All Other	2,000	3,000
Capital Expenditures	1,000	—
	<hr/>	<hr/>
Total	\$21,000	\$27,000

STATEMENT OF FACT

This bill would create a Contract Review Board to review special grants and contracts awarded by the State Purchasing Agent. The board would also conduct periodic checks into the results of those grants and contracts.