

MAINE STATE LEGISLATURE

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STATE OF MAINE
HOUSE OF REPRESENTATIVES
115TH LEGISLATURE
FIRST REGULAR SESSION

COMMITTEE AMENDMENT "A" to H.P. 1042, L.D. 1515, Bill, "An Act Concerning the Sale of Surplus State Property"

Amend the bill by striking out everything after the enacting clause and before the statement of fact and inserting in its place the following:

'Sec. 1. 5 MRSA §1813, sub-§6, as amended by PL 1989, c. 596, Pt. O, §1, is further amended to read:

6. Surplus property. Providing for transfer of supplies, materials and equipment which that are surplus from one state department or agency to another which that may need them, and for the disposal by private and public sale of supplies, materials and equipment which that are obsolete and unusable; ~~provided, however, that if any political subdivision in the State or any educational institution or homeless shelter sponsor enumerated in section 1813-A requests to purchase any such obsolete and unusable items, then the disposal shall be by private sale to that political subdivision, homeless shelter sponsor or educational institution; that.~~ Political subdivisions, educational institutions or qualifying nonprofit organizations, as defined in section 1813-A, must be given an opportunity to purchase the surplus items through private sale. If 2 or more political subdivisions, educational institutions or qualifying nonprofit organizations are interested in any item, the sale must be the result of competitive bid. Any equipment so purchased must be retained for a period of at least one year in a current ongoing program. Any item purchased by a political subdivision, homeless shelter sponsor or educational institution or qualifying nonprofit organization under this section shall may not be sold or transferred by that political subdivision, homeless shelter sponsor or educational institution or qualifying nonprofit organization for a period of 6 months from the date of the

2 private sale and the State reserves the right to refuse to sell
3 additional equipment to a political subdivision, ~~homeless-shelter~~
4 ~~spenser--or~~ educational institution or qualifying nonprofit
5 organization if it is determined that the political subdivision,
6 ~~homeless-shelter-spenser-or~~ educational institution or qualifying
7 nonprofit organization has not retained the equipment for the
8 required period of 6 months;

9
10 Sec. 2. 5 MRSA §1813-A, sub-§1, ¶B, as enacted by PL 1989, c.
11 596, Pt. 0, §2, is repealed.

12 Sec. 3. 5 MRSA §1813-A, sub-§1, ¶ C is enacted to read:

13
14 C. "Qualifying nonprofit organization" means a public or
15 private nonprofit entity that owns or operates a project or
16 facility for the homeless or a nonprofit organization that
17 has been determined to be exempt from taxation under the
18 United States Internal Revenue Code, Section 501 (c) and
19 that provides services to persons with physical or mental
20 handicaps as defined in section 4553, subsection 7-A.

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22
23 FISCAL NOTE

24
25 This bill modifies current practices for disposing of state
26 surplus property. The costs associated with offering surplus
27 property for sale to nonprofit agencies, political subdivisions
28 and educational institutions prior to selling privately will be
29 absorbed utilizing existing resources of the Department of
30 Administration, Bureau of Purchases.'

31
32 STATEMENT OF FACT

33
34 The bill authorized "nonprofit organizations serving
35 handicapped persons" to buy state surplus property and made all
36 sales of surplus property subject to competitive bidding. The
37 amendment authorizes "qualifying nonprofit organizations" to
38 purchase state surplus property and requires competitive bidding
39 when 2 or more qualified buyers are interested in any item. A
40 fiscal note is also added to the bill.

41
42
43 Reported by the Committee on State and Local Government
44 Reproduced and distributed under the direction of the Clerk of the
45 House

(5/30/91)

(Filing No. H-493)