

MAINE STATE LEGISLATURE

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115th MAINE LEGISLATURE

FIRST REGULAR SESSION-1991

Legislative Document

No. 1945

S.P. 752

In Senate, June 11, 1991

Reported by Senator GILL of Cumberland for the Joint Select Committee on Corrections pursuant to Joint Order S.P. 75.

A handwritten signature in cursive script that reads "Joy J. O'Brien".

JOY J. O'BRIEN
Secretary of the Senate

STATE OF MAINE

IN THE YEAR OF OUR LORD
NINETEEN HUNDRED AND NINETY-ONE

An Act to Promote Work Activities in Correctional Facilities.



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

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4 Sec. 1. 5 MRSA §1825-B, sub-§4, as enacted by PL 1989, c. 785,
§2, is amended to read:

6 4. Registry of suppliers. Suppliers desiring to have their
8 names entered on a registry of suppliers must submit a request to
the State Purchasing Agent in writing. The State Purchasing
10 Agent may prescribe the manner and form in which such a request
must be submitted and may limit the number of names of
12 out-of-state bidders on any registry. The name of any supplier
entered in such a registry who fails to submit a bid on 3
14 consecutive proposals or invitations to bid may be removed from
the registry at the discretion of the State Purchasing Agent,
16 except that the Department of Corrections remains on any registry
until the Department of Corrections requests that the department
be removed from that registry.

18 Sec. 2. 5 MRSA §1826-C, sub-§5, as enacted by PL 1985, c. 359,
20 §3, is amended to read:

22 5. Competitive bidding. The Work Center Purchases
24 Committee shall develop procedures for competitive bidding by
eligible work centers only for products and services identified
26 on the work center purchase schedule. ~~Any product or service on
the schedule for which no bids are received from a work center
shall be~~ If no bid is received from a work center for any product
28 or service on the schedule, the State Purchasing Agent shall
confer with the Department of Corrections to determine whether
30 the Department of Corrections is able to provide the product or
service at a fair price. If the State Purchasing Agent and the
32 Department of Corrections do not come to agreement, the product
or service must be put out to general bid by the State Purchasing
34 Agent, in accordance with his standard rules and procedures. If
only one work center bid is received, the committee shall review
36 the bid and make a determination regarding the fairness of the
price and terms of the proposed contract. If the committee
38 determines that the work center should ~~may~~ not be awarded this
bid, ~~the contract shall be offered~~ the State Purchasing Agent
40 shall confer with the Department of Corrections to determine
whether the Department of Corrections is able to provide the
42 product or service at a fair price. If the State Purchasing
Agent and the Department of Corrections do not come to agreement,
44 the contract must be offered for standard competitive bid by the
State Purchasing Agent through normal in accordance with standard
46 rules and procedures.

FISCAL NOTE

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4 This bill requires the Department of Administration, Bureau
6 of Purchases, to offer any contracts refused by work centers and
8 rehabilitation facilities to the Department of Corrections. The
costs that will be incurred by the Department of Administration
in negotiating fair contract prices will be absorbed utilizing
existing resources.

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STATEMENT OF FACT

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14 This bill is reported by the Joint Select Committee on
16 Corrections pursuant to Joint Order S.P. 75. The bill prohibits
18 the State Purchasing Agent from removing the Department of
20 Corrections from registries of suppliers unless the department
asks to be removed from those particular registries. The bill
also requires that contracts refused by work centers and
rehabilitation facilities be offered to the Department of
Corrections before going out to general bid.