

MAINE STATE LEGISLATURE

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L.D. 1678

Date: 05-11-07

(Filing No. S-102)

STATE AND LOCAL GOVERNMENT

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STATE OF MAINE

SENATE

123RD LEGISLATURE

FIRST REGULAR SESSION

COMMITTEE AMENDMENT "A" to S.P. 584, L.D. 1678, Bill, "An Act To Implement the Recommendations of the Working Group on the State Purchasing Code of Conduct Laws"

Amend the bill by striking out section 1 and inserting the following:

'Sec. 1. 5 MRSA §1825-B, sub-§12 is enacted to read:

12. Vendor's fee. The State Purchasing Agent may collect a fee in an amount equal to 1% of the bid from a supplier of apparel, footwear or textiles with a winning bid under this section. The State Purchasing Agent shall apply the fee under this subsection to the costs of implementing and administering the state purchasing code of conduct under section 1825-L, including developing a consortium to monitor and investigate alleged violations of the code of conduct. The State Purchasing Agent shall adopt routine technical rules under chapter 375, subchapter 2-A to carry out the purposes of this subsection.

Sec. 2. 5 MRSA §1825-B, sub-§13 is enacted to read:

13. Vendor's fee report. By January 15th of each year the Director of the Bureau of General Services shall submit a report to the joint standing committee of the Legislature having jurisdiction over state and local government matters concerning revenue generated by the vendor's fee established in subsection 12.'

Amend the bill by inserting after section 4 the following:

'Sec. 5. Appropriations and allocations. The following appropriations and allocations are made.

ADMINISTRATIVE AND FINANCIAL SERVICES, DEPARTMENT OF

Purchases - Division of 0007

RdS.

COMMITTEE AMENDMENT "A" to S.P. 584, L.D. 1678

1 Initiative: Allocates funds to implement, administer and enforce the state purchasing code
2 of conduct including developing a consortium to monitor and investigate alleged
3 violations.

4	OTHER SPECIAL REVENUE FUNDS	2007-08	2008-09
5	All Other	\$4,000	\$4,000
6			
7	OTHER SPECIAL REVENUE FUNDS TOTAL	\$4,000	\$4,000

8
9 Amend the bill by relettering or renumbering any nonconsecutive Part letter or
10 section number to read consecutively.

11 **SUMMARY**

12 The bill contained a provision requiring apparel, footwear and textile suppliers to pay
13 a 1% vendor's fee. This amendment amends that provision to allow the State Purchasing
14 Agent to charge a 1% vendor's fee to reflect the fact that the consortium to monitor and
15 investigate alleged violations of the state purchasing code of conduct is not yet
16 operational. Rules to be adopted by the State Purchasing Agent with respect to the fee
17 are changed from major substantive to routine technical. The amendment also requires
18 the Director of the Bureau of General Services to submit an annual report on the revenue
19 generated by the vendor's fee to the joint standing committee of the Legislature having
20 jurisdiction over state and local government matters. This amendment adds an
21 appropriations and allocations section to the bill.

22 **FISCAL NOTE REQUIRED**
23 (See attached)

**123rd MAINE LEGISLATURE****LD 1678****LR 1672(02)****An Act To Implement the Recommendations of the Working Group on the State Purchasing Code of Conduct Laws****Fiscal Note for Bill as Amended by Committee Amendment "A "****Committee: State and Local Government****Fiscal Note Required: Yes**

Fiscal Note

	2007-08	2008-09	Projections 2009-10	Projections 2010-11
Appropriations/Allocations				
Other Special Revenue Funds	\$4,000	\$4,000	\$4,000	\$4,000
Revenue				
Other Special Revenue Funds	\$4,000	\$4,000	\$4,000	\$4,000

Fiscal Detail and Notes

This legislation establishes a 1% vendor's fee to pay for the administration of the state purchasing code of conduct laws. The estimated increase in Other Special Revenue Funds revenue derived from the proposed fee will be approximately \$4,000 annually. It is assumed that expenditures required to develop a consortium and administer this program could be covered by the revenues generated from this legislation.