

MAINE STATE LEGISLATURE

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124th MAINE LEGISLATURE

FIRST REGULAR SESSION-2009

Legislative Document

No. 995

S.P. 374

In Senate, March 12, 2009

An Act To Improve Purchasing for the Department of Corrections

Reference to the Committee on Criminal Justice and Public Safety suggested and ordered printed.

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

JOY J. O'BRIEN
Secretary of the Senate

Presented by Senator GERZOFKY of Cumberland.
Cosponsored by Representative SCHATZ of Blue Hill and
Senators: DAVIS of Cumberland, NUTTING of Androscoggin, Representatives: BURNS of
Whiting, HANLEY of Gardiner, HASKELL of Portland, LAJOIE of Lewiston, PLUMMER of
Windham, WHEELER of Kittery.

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

2 **Sec. 1. 34-A MRSA §1403, sub-§11,** as enacted by PL 1999, c. 583, §4, is
3 amended to read:

4 **11. Contracting agent.** The chief administrative officer is the contracting agent for
5 all sales of articles from a correctional facility and for all other contracts made on behalf
6 of the correctional facility except those made by the State Purchasing Agent.
7 Notwithstanding Title 5, chapter 155, the chief administrative officer may enter into a
8 contract for the purchase of materials used in the manufacture of products for sale to the
9 public or through contract bids in a prison industries program at the correctional facility
10 supervised by that chief administrative officer.

11 A. All contracts must be made in the manner prescribed by the commissioner.

12 B. A contract may not be accepted by the chief administrative officer, unless the
13 contractor gives satisfactory security for its performance.

14 C. An employee of the correctional facility may not be directly or indirectly
15 interested in any contract.

16 **SUMMARY**

17 This bill authorizes the chief administrative officer of a correctional facility to enter
18 into a contract for the purchase of materials used in the manufacture of products for sale
19 to the public or through contract bids in a prison industries program at the correctional
20 facility supervised by that chief administrative officer.