

SUZANNE M. GRESSER
EXECUTIVE DIRECTOR
OF THE LEGISLATIVE COUNCIL



MAINE STATE LEGISLATURE

OFFICE OF THE EXECUTIVE DIRECTOR
LEGISLATIVE COUNCIL

To: Members of the Joint Standing Committee on State and Local Government

From: Suzanne M. Gresser, Executive Director *SMG*

Date: February 6, 2023

Re: Submission of report by the Maine Governmental Facilities Authority

5 MRSA §12023, sub-§2 requires quasi-independent state entities to submit a report to the Legislature by February 1st of each year. That report must include, among other things, a list of procurements exceeding \$10,000 in the preceding year for which competitive procurement was waived under policies adopted pursuant to law, a list of persons to which the entity made contributions greater than \$1,000 and the total contributed, and a description of changes to written policies and procedures required by section 12022 or to procedures used to monitor compliance.

Pursuant to 5 MRSA §12023, sub-§2 regarding distribution of the reports, I am attaching the report that was recently filed by the Maine Governmental Facilities Authority to the committee for its review.

Pursuant to 5 MRSA §12023, sub-§3, by March 1st of every second regular session, a joint standing committee of the Legislature receiving reports pursuant to subsection 2 shall review the reports received within the past 2 calendar years, and gather additional information as necessary from the submitting entities, to assess whether policies and procedures adopted by a governing body in accordance with section 12022, subsections 3 to 5 are consistent with expectations established in those subsections and whether all reported waivers of competitive procurement and reported contributions made are in compliance with the adopted policies and procedures, including proper justification and documentation. The joint standing committee shall report the results of its review, including any areas that should be reviewed in more depth, to the joint legislative committee established to oversee program evaluation and government accountability matters.

If you have any questions, please do not hesitate to contact me at 287-1615.

Thank you.

Attachment(s)

MGFA

MAINE GOVERNMENTAL FACILITIES AUTHORITY

Terry Hayes, Executive Director

Tel 207-622-9386

Fax 207-623-5359

January 11, 2023

Honorable Troy D. Jackson
President of the Senate
3 State House Station
Augusta, Maine 04333

Honorable Rachel Talbot Ross
Speaker of the House
2 State House Station
Augusta, Maine 04333

Dear President Jackson and Speaker Talbot Ross:

Pursuant to 5 M.R.S.A., Section 12023, please consider this the letter of transmittal for the required report from the Maine Governmental Facilities Authority due by February 1, 2023.

Please feel free to contact me with any questions or if you need additional information. I can be reached at 622-9386 or by email at Terry@mgfa.com.

Thank you.

Sincerely,



Terry Hayes,
Executive Director

MGFA

MAINE GOVERNMENTAL FACILITIES AUTHORITY

Terry Hayes, *Executive Director*

Tel 207-622-9386

Fax 207-623-5359

January 11, 2023

Honorable Troy D. Jackson
President of the Senate
3 State House Station
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RE: Quasi-Independent State Entities annual report required under 5 MRSA c.379, sub-c.3,
Section 12023

Dear President Jackson and Speaker Talbot Ross:

I am pleased to provide the following annual report concerning the operating activities of the Maine Governmental Facilities Authority (the Authority) for our fiscal year ended June 30, 2022.

As a bit of background, the Authority's administration is provided by the Maine Municipal Bond Bank (the Bond Bank). As a component of this business relationship, the Authority shares costs, including personnel expenses and shared operating costs, which are allocated based on employee time and billed to the Authority by the Bond Bank. All employees are employees of the Bond Bank.

The Bond Bank adopted and implemented policies and procedures concerning purchasing, contributions and lobbying and travel prior to July 1, 2013. All employees of the Bond Bank are familiar with these policies and procedures and are aware that only the Executive Director can waive them. No changes have been made to the policies and procedures since adoption.

The Authority's Board of Commissioners approves an annual operating budget. They are also provided a periodic Treasurer's Report that details all expenditures, including a comparison of budget to actual expenditures and a list of checks written during the period of the report, so that they may monitor compliance with all policies and procedures. The Board Members are given an opportunity to question the staff concerning the report before they vote to approve it. Backup for any expenditure is provided to the Board, upon request.

Expenditures with Competitive Procurement Waived:

The buildings financed by the Authority are used by the State for State purposes. The Authority insures the buildings through the Department of Administrative and Financial Services, Risk Management Division. The total building insurance paid by the Authority for fiscal year 2022 was approximately \$140,400.

Other:

The Authority made no contributions to any person during fiscal year 2022.

The Authority does not employ any person for the purpose of lobbying.

Please feel free to contact me with any questions or comments that you might have concerning this report. I can be reached at 622-9386 or by e-mail at Terry@mgfa.com.

Sincerely yours,

A handwritten signature in black ink that reads "Terry Hayes". The signature is written in a cursive style with a large initial "T".

Terry Hayes,
Executive Director