



125th MAINE LEGISLATURE

SECOND REGULAR SESSION-2012

Legislative Document

No. 1631

S.P. 541

In Senate, December 20, 2011

**An Act To Address Research and Teaching in Maine's Institutions
of Higher Education by Amending the Laws Governing the
Purchase of Goods and Services by the State Involving Institutions
of Higher Education**

Approved for introduction by a majority of the Legislative Council pursuant to Joint Rule 203.

Received by the Secretary of the Senate on December 16, 2011. Referred to the Committee on State and Local Government pursuant to Joint Rule 308.2 and ordered printed.

Joseph G. Carleton Jr.

JOSEPH G. CARLETON, JR.
Secretary of the Senate

Presented by Senator MASON of Androscoggin.

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

2 **Sec. 1. 5 MRSA §1825-B, sub-§2, ¶E**, as repealed and replaced by PL 1995, c.
3 625, Pt. A, §5 and amended by PL 2003, c. 20, Pt. OO, §2 and affected by §4, is further
4 amended to read:

5 E. The purchase is part of a cooperative project between the State and the
6 University of Maine System ~~or~~, the Maine Community College System or a private,
7 nonprofit, regionally accredited institution of higher education with a main campus in
8 this State involving:

9 (1) An activity assisting a state agency and enhancing the ability of the
10 university system ~~or~~, community college system or a private, nonprofit,
11 regionally accredited institution of higher education with a main campus in this
12 State to fulfill its mission of teaching, ~~and~~ research ~~and public service~~; and

13 (2) A sharing of project responsibilities and, when appropriate, costs;

14 **SUMMARY**

15 This bill allows the Director of the Bureau of General Services within the Department
16 of Administrative and Financial Services to waive the requirement of competitive bidding
17 for the purchase of goods and services if the purchase is part of a cooperative project
18 between the State and a private, nonprofit, regionally accredited institution of higher
19 education with a main campus in this State involving an activity assisting a state agency
20 and enhancing the ability of the institution to fulfill its mission of teaching and research.
21 The bill removes the requirement that the waiver be for an activity that has a public
22 service component. Current law allows for such a waiver in the case of a cooperative
23 project between the State and the University of Maine System or the Maine Community
24 College System.