



132nd MAINE LEGISLATURE

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Legislative Document

No. 817

H.P. 524

House of Representatives, March 4, 2025

**An Act to Remove Restrictions That Prohibit School Administrative
Units from Making Purchases Through Cooperatives**

Received by the Clerk of the House on February 27, 2025. Referred to the Committee on Education and Cultural Affairs pursuant to Joint Rule 308.2 and ordered printed pursuant to Joint Rule 401.

A handwritten signature in cursive script that reads "R B. Hunt".

ROBERT B. HUNT
Clerk

Presented by Representative MITCHELL of Cumberland.
Cosponsored by Senator PIERCE of Cumberland and
Representatives: BRENNAN of Portland, GRAHAM of North Yarmouth, KUHN of Falmouth,
MURPHY of Scarborough.

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

2 **Sec. 1. 5 MRSA §1743-A, first ¶**, as amended by PL 2011, c. 691, Pt. B, §11, is
3 further amended to read:

4 Any contract for the construction, major alteration or repair of school buildings
5 involving a total cost in excess of \$250,000, except contracts for professional, architectural
6 and engineering services, contracts for the purchase, repair or alteration of any nonbuilding
7 real property, including, but not limited to, an athletic field, and contracts for energy
8 conservation services in accordance with Title 20-A, section 15915, must be awarded by
9 competitive bids. The school district directors, school committee, building committee or
10 whatever agency has responsibility for the construction, major alteration or repair shall,
11 after consultation with the Director of the Bureau of General Services, seek sealed
12 proposals. Sealed proposals must be addressed to the responsible agency and must remain
13 sealed until publicly opened in the presence of the responsible agency or a committee of
14 the responsible agency at such time as the responsible agency may direct. Competitive bids
15 may be waived in individual cases involving unusual circumstances with the written
16 approval of the Director of the Bureau of General Services and the Commissioner of
17 Education.

18 **Sec. 2. 5 MRSA §1811, sub-§8**, as amended by PL 2005, c. 12, Pt. T, §8, is further
19 amended to read:

20 **8. Cooperative purchasing.** To permit any political subdivision or school
21 administrative ~~district~~ unit in the State or nonprofit free health care clinic that provides free
22 primary or preventative services to make purchases of foodstuffs, materials, equipment and
23 supplies through the Bureau of General Services, subject to such procedures, rules and
24 regulations as may be prescribed by the director. This subsection applies to a municipality
25 notwithstanding any provision in its municipal charter to the contrary and to a school
26 administrative unit for the purpose of the purchase, repair or alteration of any nonbuilding
27 real property, including, but not limited to, an athletic field;

28 **SUMMARY**

29 This bill amends the provisions of law related to competitive bids and cooperative
30 purchases made through the Department of Administrative and Financial Services, Bureau
31 of General Services to allow school administrative units to participate in cooperative
32 purchasing for the purpose of the purchase, repair or alteration of nonbuilding real property,
33 including, but not limited to, an athletic field.