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STATE AND LOCAL GOVERNMENT

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STATE OF MAINE HOUSE OF REPRESENTATIVES 132ND LEGISLATURE FIRST SPECIAL SESSION

COMMITTEE AMENDMENT “ ” to H.P. 543, L.D. 857, “An Act to Increase Government Transparency in the Procurement of Goods and Services”

Amend the bill by striking out everything after the enacting clause and inserting the following:

'Sec. 1. 5 MRSA §1825-B, sub-§15 is enacted to read:

15. Records. Beginning January 1, 2026, the Director of the Bureau of General Services shall preserve, consistent with applicable record retention schedules established and published by the Department of the Secretary of State, Maine State Archives, and make available on a publicly accessible website all records and documents regarding the competitive bidding process, including notices of intent to waive competitive bidding under this section and supporting documents and competitive solicitations and supporting documents, including question-and-answer summaries, evaluation team packets and award decision letters. All proposals submitted in response to a solicitation and resulting in an award are public documents, unless otherwise excepted by statute.

Sec. 2. Record recovery. The Department of Administrative and Financial Services shall to the extent possible recover and publish on a publicly accessible website all past notices of intent to waive the competitive bidding process and supporting documents.'

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

SUMMARY

This amendment amends the bill by establishing a start date of January 1, 2026 for the statutory requirements of the bill. The amendment changes these requirements to specify that the Director of the Bureau of General Services must preserve, consistent with applicable record retention schedules established and published by the Department of the Secretary of State, Maine State Archives, and make available on a publicly accessible website all records and documents regarding the competitive bidding process, including notices of intent to waive competitive bidding and supporting documents and competitive

1 solicitations and supporting documents, including question-and-answer summaries,
2 evaluation team packets and award decision letters. The amendment also clarifies that all
3 proposals submitted in response to a solicitation and resulting in an award are a public
4 document, unless otherwise excepted by statute. The amendment modifies the requirements
5 for including supporting documents to remove the specification that "all underlying"
6 supporting documents be included.

7 **FISCAL NOTE REQUIRED**

8 **(See attached)**