



STATE OF MAINE
DEPARTMENT OF ADMINISTRATIVE & FINANCIAL SERVICES
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SERVING THE PUBLIC AND DELIVERING ESSENTIAL SERVICES TO STATE GOVERNMENT

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*Testimony of Anya Trundy, Deputy Commissioner
Department of Administrative and Financial Services
Testifying in Support of*

**LD 1494, Resolve, Directing the Office of Procurement Services to Study Adapting the
Procurement Process to the State Climate Action Plan**

*Sponsored by Rep. Victoria Doudera
Before the Joint Standing Committee on State and Local Government*

Senator Baldacci, Representative Salisbury, and members of the Joint Standing Committee on State and Local Government: I am Anya Trundy, a Deputy Commissioner for the Department of Administrative and Financial Services (DAFS). I am providing testimony today in Support of LD 1494, which is a bill that DAFS worked with the sponsor to draft.

Rep. Doudera approached me last year about her desire to sponsor a bill to incorporate the objectives of Maine's Climate Action Plan into the State's procurement statutes. The bill before you proposes an iterative approach that would lead to the recommendation of statutory changes in the future. This approach is based upon DAFS' experience and success utilizing inventories to identify and gage the impact across State departments and agencies when policy changes to statutes governing centralized services are proposed. "Measure twice, cut once."

Title 5, Chapter 155 applies to the purchase of goods and services by all State departments and agencies, apart from some unique purchasing authority for DOT specifically related to public improvements and heavy equipment. There are some existing sustainability provisions in the Procurement statutes, but the fact that they mostly revolve around recycled materials is indicative of their late-1980s, early-1990s establishment. There is certainly an opportunity to update and expand beyond the existing statutes.

That being said, hundreds of millions of dollars run through the procurement process each year, the goods and services that each department and agency of State Government purchase vary widely, and DAFS is wary of creating ill-fitting or ineffective statutory requirements that departments and agencies resent rather than seeing the value of. Many departments and agencies are already crafting RFPs, RFQs, and RFAs that incorporate elements of the State Climate Action Plan into their criteria for the products and services they seek. On the flip side, there are likely instances in which departments and agencies are overlooking obvious and easy opportunities to consider the environmental impact of their purchases and the availability of sustainable solutions. By not rushing to impose specific criteria, quotas, and/or preferences in statute and instead learn from departments and agencies experience—good and bad—DAFS hopes to avoid unintended and undesirable results within the procurement process.

As a technical matter, DAFS would ask the Committee to consider the entities that this resolve should apply to and align it with those entities that are required to purchase and contract through State Procurement. Specifically, quasi-governmental entities have their own procurement policies.

I am happy to answer any questions from the Committee now and will be available for the work session.