

## §1831. Rules

**1. Adoption of rules.** A department or agency of State Government, subject to chapters 141 to 152, purchasing services or awarding grants or contracts that are not subject to the authority of the Department of Administrative and Financial Services, as defined in chapters 153 and 155, shall establish a procedure by which these services are purchased or by which grants or contracts are awarded. This procedure must be adopted in accordance with the Maine Administrative Procedure Act and must be approved by the State Purchasing Agent prior to the procedure's adoption. The State Purchasing Agent shall ensure that the rules adopted under this section meet the standards of public notice, administrative review and rights to appeal as set forth in chapter 155, subchapter 1-A. A department or agency of State Government that does not adopt rules under this section is subject to rules adopted by the State Purchasing Agent under chapter 155, subchapter 1-A.

A. [PL 1989, c. 785, §3 (RP).]

B. [PL 1989, c. 785, §3 (RP).]

C. [PL 1989, c. 785, §3 (RP).]

D. [PL 1989, c. 785, §3 (RP).]

E. [PL 1989, c. 785, §3 (RP).]

F. [PL 1989, c. 785, §3 (RP).]

[PL 2023, c. 405, Pt. A, §9 (AMD).]

**2. Limitation.** This section does not apply to purchase of supplies, services, materials and equipment or to public improvements, as described under chapters 153 and 155. This section does not apply to construction, improvement or repair of any and all ways, roads or bridges with appurtenances or other public improvements which by law are under the supervision of the Department of Transportation in accordance with section 1741.

[PL 1989, c. 165, §2 (AMD).]

**3. Application.** The procedure adopted by a department or agency under this section may be used by the department or agency for any qualifying purchase or award of a contract or grant. This section may not be construed to require the adoption of new procedures for every new purchase, contract or award. This section may not be construed to require the State Purchasing Agent or the Department of Administrative and Financial Services to approve any contract, grant or award that is not presently approved by the State Purchasing Agent or the Department of Administrative and Financial Services under chapters 153 and 155.

[PL 2023, c. 405, Pt. A, §10 (AMD).]

### SECTION HISTORY

PL 1983, c. 188 (NEW). PL 1985, c. 785, §A76 (AMD). PL 1989, c. 165, §2 (AMD). PL 1989, c. 785, §3 (AMD). PL 2023, c. 405, Pt. A, §§9, 10 (AMD).

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