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INSPECTOR GENERAL

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April 11, 2017

The Honorable Walter Timilty, Chair  
Committee on State Administration and Regulatory Oversight  
State House, Room 320  
Boston, MA 02133

The Honorable Peter V. Kocot, Chair  
Committee on State Administration and Regulatory Oversight  
State House, Room 22  
Boston, MA 02133

**Re: H. 13, An Act Relative to Chapter 30B**

Dear Chairman Timilty and Chairman Kocot:

I write in support of House 13, *An Act relative to Chapter 30B*. The bill primarily makes technical corrections to Chapter 30B, the Uniform Procurement Act. Additionally, the bill increases a fine in Chapter 30B.

The technical changes update Chapter 30B to include correct references to recently enacted amendments to other statutes. Sections 1, 5 and 7 of the bill make changes to reflect the creation of Chapter 7C, relating to capital asset management and maintenance. Previously, Chapter 7 covered capital asset management and maintenance. Section 2 updates Chapter 30B to recognize the reorganization of the Massachusetts Department of Transportation under Transportation Reform in 2009. Section 3 of the bill corrects an inaccurate citation to a sub-clause in another statute. Section 4 updates Chapter 30B to correctly reference the Open Meeting Law contained in Chapter 30A.

Section 6 of the bill amends Chapter 30B to increase a fine. Currently, "a person who causes or conspires with another to cause a contract to be solicited or awarded in violation of" Chapter 30B can be fined not more than \$2,000 for each violation. This has been in place since enactment of Chapter 30B in 1989. My proposal is to increase this fine to \$10,000 for each violation. The fine is a minor deterrent that does little to prevent a contractor or vendor from conspiring or colluding to gain a significantly higher profit. The increased fine will serve as a strong deterrent to those who would commit fraud against the taxpayers.

Chairman Timilty and Chairman Kocot

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Currently, due to a previous drafting error, sections 22 and 23 of Chapter 30B are identical. Section 8 of this bill strikes section 23 since it is duplicative.

I strongly urge the committee to report this bill out favorably. For your reference, I have attached a redline version of the changes the bill makes. As always, if you have questions, please feel free to contact me.

Sincerely,

A handwritten signature in blue ink, appearing to read "Glenn A. Cunha".

Glenn A. Cunha  
Inspector General

Enclosure: House 13 redline