



126th MAINE LEGISLATURE

FIRST REGULAR SESSION-2013

Legislative Document

No. 1357

S.P. 476

In Senate, April 9, 2013

An Act To Support Maine Businesses through State Purchasing

Reference to the Committee on State and Local Government suggested and ordered printed.

A handwritten signature in black ink, appearing to read 'D M Grant'.

DAREK M. GRANT
Secretary of the Senate

Presented by Senator GOODALL of Sagadahoc.

Cosponsored by Senators: JACKSON of Aroostook, LACHOWICZ of Kennebec, PATRICK of Oxford, SAVIELLO of Franklin, Representative: NADEAU of Winslow.

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

2 **Sec. 1. 5 MRSA §1825-B, sub-§8**, as amended by PL 1991, c. 780, Pt. Y, §70, is
3 further amended to read:

4 **8. Preference for in-state bidders or Maine products.** The Director of the Bureau
5 of General Services shall award contracts or purchases to in-state bidders or to bidders
6 offering commodities produced or manufactured in the State if the price, quality,
7 availability and other factors are equivalent or if the bid is within 2.5% of the otherwise
8 best-value bidder, as determined pursuant to subsections 7 and 9.

9 **Sec. 2. 26 MRSA §1301, first ¶** is amended to read:

10 The State, counties, cities and towns, and every charitable or educational institution
11 ~~which that~~ is supported in whole or in part by aid granted by the State or by any
12 municipality shall, in the awarding of ~~contracts~~ a contract for constructing, altering,
13 repairing, furnishing or equipping its buildings or public works, give preference to
14 ~~workmen workers~~ and to bidders for ~~such contracts~~ the contract who are residents of this
15 State, ~~provided as long as~~ the bids submitted by ~~such the~~ resident bidders are equally
16 ~~favorable with~~ within 2.5% of the bids submitted by contractors from ~~without~~ outside the
17 State. This section ~~shall~~ does not apply to construction or repairs amounting to less than
18 \$1,000 or to emergency work or to state road work.

19 **SUMMARY**

20 This bill requires that the State, when awarding contracts or purchases for the State or
21 any department or agency of the State, award the contract or purchase to an in-state
22 bidder or person offering commodities produced or manufactured in the State as long as
23 the bid is within 2.5% of the otherwise best-value bidder.

24 This bill also gives preference in the award of construction and public works
25 contracts by the State and its political subdivisions to workers and bidders who are
26 residents of the State, as long as their bids are within 2.5% of the bids submitted by out-
27 of-state bidders.