

# MAINE STATE LEGISLATURE

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STATE OF MAINE  
SENATE  
115TH LEGISLATURE  
FIRST REGULAR SESSION

SENATE AMENDMENT "C" to H.P. 1174, L.D. 1715, Bill, "An Act to Establish State Selective Purchasing Standards"

Amend the bill by striking out all of section 1.

Further amend the bill in section 6 in that part designated "§1827." in subsection 1 by striking out all of paragraph A (page 2, lines 13 to 15 in L.D.) and inserting in its place the following:

'A. "Distribution agreement" includes any agreement by any person to provide commodities to any other person or organization that directly or indirectly, through one or more intermediaries, resells, distributes or otherwise provides those commodities, with or without the logo of the provider.'

Further amend the bill in section 6 in that part designated "§1827." in subsection 1 in paragraph B in the first line (page 2, line 17 in L.D.) by inserting after the underlined word "means" the following: 'any foreign or domestic person or organization'

Further amend the bill in section 6 in that part designated "§1827." in subsection 1 in paragraph B in subparagraph (3) in the last line (page 2, line 34 in L.D.) by striking out the following: "and"

Further amend the bill in section 6 in that part designated "§1827." in subsection 1 in paragraph B in subparagraph (4) in the last line (page 2, line 39 in L.D.) by striking out the following: "purpose." and inserting in its place the following: 'purpose; or'

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2 Further amend the bill in section 6 in that part designated  
"§1827." in subsection 1 in paragraph B by inserting after  
subparagraph (4) the following:

4  
6 '(5) Having an agreement to distribute or sell, with  
or without the logo of the manufacturer, commodities  
manufactured by a person or organization that is doing  
8 business with the Republic of South Africa.'

10 Further amend the bill in section 6 in that part designated  
"§1827." in subsection 3 in paragraph C in the last line (page 4,  
12 line 22 in L.D.) by striking out the following: "supplies." and  
inserting in its place the following: 'supplies; or'

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16 Further amend the bill in section 6 in that part designated  
"§1827." in subsection 3 by adding at the end the following:

18 'D. The person or organization doing business with the  
Republic of South Africa adheres to and is a signatory to  
20 the Sullivan Principles with respect to its business with  
and operations in the Republic of South Africa.'

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24 Further amend the bill in section 6 in that part designated  
"§1828." in subsection 1 by striking out all of paragraph A (page  
4, lines 34 and 35 in L.D.).

26  
28 Further amend the bill in section 6 in that part designated  
"§1828." in subsection 1 in paragraph B in the first paragraph in  
the last 2 lines (page 4, lines 38 and 39 in L.D.) by striking  
30 out the following: "maintained by the Maine State Retirement  
System" and inserting in its place the following: 'currently in  
32 use by the federal General Accounting Office'

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36 Further amend the bill in section 6 in that part designated  
"§1828." in subsection 1 in paragraph B by striking out all of  
subparagraph (1) (page 4, lines 41 to 45 in L.D.).

38  
40 Further amend the bill in section 6 in that part designated  
"§1828." in subsection 1 in paragraph B by renumbering the  
subparagraphs to read consecutively.

42  
44 Further amend the bill in section 6 in that part designated  
"§1828." in subsection 1 by relettering the paragraphs to read  
consecutively.

46  
48 Further amend the bill by renumbering the sections to read  
consecutively.

50 Further amend the bill by inserting at the end before the  
statement of fact the following:

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**FISCAL NOTE**

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The Bureau of Purchases within the Department of Administration will be able to absorb the costs associated with implementing the state selective purchasing standards.'

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**STATEMENT OF FACT**

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This amendment removes the definition of "comparable low bid or offer," deletes the requirement that the State Purchasing Agent update the list of companies doing business with the Republic of South Africa every 3 months, deletes the requirements that require the State Purchasing Agent to supplement the list and redefines the list as the one maintained by the federal General Accounting Office. This amendment adds a definition of "distribution agreement" and expands the definition of "doing business with the Republic of South Africa."

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The amendment also clarifies the prohibition on state purchases from companies doing business in the Republic of South Africa, but exempts companies that adhere to or are signatories to the Sullivan Principles. The amendment also adds a fiscal note to the bill.

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(Senator BRANNIGAN)  
SPONSORED BY:



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COUNTY: Cumberland

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