

MAINE STATE LEGISLATURE

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117th MAINE LEGISLATURE

FIRST REGULAR SESSION-1995

Legislative Document

No. 946

S.P. 341

In Senate, March 21, 1995

An Act Concerning Preference to Maine Workers and Contractors.

Reference to the Committee on Labor suggested and ordered printed.

A handwritten signature in cursive script that reads "May M. Ross".

MAY M. ROSS
Secretary of the Senate

Presented by Senator LONGLEY of Waldo.
Cosponsored by Representative JACQUES of Waterville and
Senator: RUHLIN of Penobscot, Representatives: GATES of Rockport, MARSHALL of
Eliot, SIMONEAU of Thomaston.

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

2 **Sec. 1. 26 MRSA §1301** is repealed and the following enacted
4 in its place:

6 **§1301. Local residents preferred**

8 **1. Definitions.** As used in this section, unless the
10 context otherwise indicates, the following terms have the
following meanings.

12 **A. "In-state bidder" means a bidder:**

14 (1) Whose principal place of business or a branch of
16 the bidder's principal place of business has been
located in the State for a period of at least 2 years;
18 and

20 (2) Who will employ at least 90% state residents to
perform the conditions of the contract.

22 **2. Preference; exceptions.** The State, a county, city or
24 town, and every charitable or educational institution that is
supported in whole or in part by aid granted by the State or by
26 any municipality shall, in the awarding of a contract for
constructing, altering, repairing, furnishing or equipping its
28 buildings or public works, give preference to an in-state bidder,
provided the bid submitted by the in-state bidder is no more than
30 5% over a bid submitted by a bidder from outside the State. This
section does not apply to construction or repairs amounting to
32 less than \$1,000 or to emergency work or state road work. The
preference in this section applies to contracts involving funds
34 obtained from the Federal Government unless expressly prohibited
by the laws of the United States or regulations adopted pursuant
to those laws.

36
38 **STATEMENT OF FACT**

40 This bill gives preference in the award of construction and
42 public works contracts by the State and its political
44 subdivisions to in-state bidders, provided their bids are no more
46 than 5% over bids submitted by out-of-state bidders. The bill
48 defines "in-state bidder" as a bidder whose principal place of
business or a branch of the bidder's principal place of business
has been located in the State for a period of at least 2 years
and who will employ at least 90% Maine residents to perform the
conditions of the contract.