

MAINE STATE LEGISLATURE

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122nd MAINE LEGISLATURE

FIRST REGULAR SESSION-2005

Legislative Document

No. 471

H.P. 346

House of Representatives, February 1, 2005

**An Act To Prohibit State Departments, Agencies and Bureaus from
Conducting Business with Any Entity That Outsources Services
Outside of the United States of America**

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

Millicent M. MacFarland
MILLICENT M. MacFARLAND
Clerk

Presented by Representative CRESSEY of Cornish.
Cosponsored by President EDMONDS of Cumberland and
Representatives: BOWLES of Sanford, CUMMINGS of Portland, DUPLESSIE of Westbrook,
Speaker RICHARDSON of Brunswick, TARDY of Newport, Senators: BRENNAN of
Cumberland, DAVIS of Piscataquis, GAGNON of Kennebec.

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

4 **Sec. 1. 5 MRSA c. 162** is enacted to read:

6 **CHAPTER 162**

8 **STATE CONTRACTS AND PROCUREMENTS**

10 **§1961. Awarding state contracts**

12 State departments, agencies and bureaus that award contracts
14 may award contracts only to entities that meet the following
16 requirements.

18 1. Labor and services. Labor and services performed in
20 connection with the contract must be performed within the United
22 States.

24 2. Certification. The entity performing the contract must
26 certify that the individual will comply with subsection 1 and
28 that any supplies provided pursuant to the contract will be
30 provided from within the United States.

32 If during the performance of the contract the entity
34 performing the contract shifts labor or services to, or receives
36 supplies from, a location not within the United States, then the
38 contract must be terminated for noncompliance with subsection 1
and the entity forfeits to the State or the state agency an
amount equal to the percentage of labor, services and supplies
provided at or from a location not within the United States.

SUMMARY

This bill prohibits any Maine Government department, agency or bureau from conducting business with any entity that outsources its services outside the United States. This includes all contracts and procurements by the State.