

MAINE STATE LEGISLATURE

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EIGHTY-FIFTH LEGISLATURE

Legislative Document

No. 606

S. P. 448

In Senate Feb. 17, 1931.

Taken from the table on motion by Senator Slocum of Cumberland and on further motion by the same Senator referred to Committee on Judiciary. Sent down for concurrence. 500 Copies ordered printed.

ROYDEN V. BROWN, Secretary.

Presented by Senator Greenleaf of Androscoggin.

STATE OF MAINE

IN THE YEAR OF OUR LORD ONE THOUSAND NINE
HUNDRED AND THIRTY-ONE

AN ACT Permitting Any Public Official Responsible for
Awarding a Contract in Competition to Request from Any
Proposed Bidder a Questionnaire.

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

Section 1. Questionnaire as pre-bid qualifications. In order to facilitate the work of any public official it shall be lawful for said official to require from any person proposing to bid on public work duly advertised a standard form of questionnaire and financial statement containing a complete statement of the person's financial ability and experience in performing public work before furnishing such person with plans and specifications for the proposed public work advertised.

Sec. 2. Procedure if answers are unsatisfactory. Whenever the public official is not satisfied with the sufficiency of the answers contained in such standard questionnaire and financial statement of such persons he may refuse to furnish such persons with plans and specifications on public work duly advertised and the bid of any person to whom plans and specifications have not been issued may be disregarded.

Sec. 3. Procedure of contractor. Any contractor after being notified of his classification by the public official and being dis-

satisfied therewith may request a hearing before the public official and present such further evidence with respect to his financial responsibility, plant and equipment or experience as might tend to justify in his opinion a higher classification. After hearing the additional evidence the public official may in his discretion change the classification of the contractor.

Sec. 4. Penalty. Any contractor who makes or causes to be made any incomplete, false or fraudulent statement in the application required to be made by section two of this act shall be guilty of a misdemeanor and upon conviction shall be punished by a fine of not less than one hundred dollars nor more than one thousand dollars or in the case of an individual or the officer or employee, charged with the duty of making such application for a person, firm, co-partnership, association or corporation, by imprisonment for not more than six months or by both such fine and imprisonment.

Sec. 5. "Person" defined. The word "person" as used herein shall mean and include any individual, copartnership, association, corporation or joint stock company, their lessees, trustees, or receivers appointed by any court whatsoever.

Sec. 6. Repealing clause. All acts and parts of acts inconsistent with the provisions of this act are hereby repealed or amended to conform with the provisions of this act.