

MAINE STATE LEGISLATURE

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LAWS
OF THE
STATE OF MAINE
AS PASSED BY THE

ONE HUNDRED AND TENTH LEGISLATURE

FIRST REGULAR SESSION
December 3, 1980 to June 19, 1981

AND AT THE

FIRST SPECIAL SESSION
August 3, 1981

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PUBLIC LAWS
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- A. Cannot be relocated without a substantial loss of its existing patronage; and
- B. Is not part of a commercial enterprise having at least one other establishment not being acquired by a public entity or individual, or private entity on behalf of, under agreement with or with funding from a public entity, which is engaged in the same or similar business.

§ 954. Ineligible persons

Persons who are qualified to receive relocation benefits under chapter 23 and the United States Uniform Relocation Assistance and Real Property Acquisition Policies Act of 1970, Public Law 91-646, are not eligible for benefits under this chapter.

Effective September 18, 1981

CHAPTER 495

H. P. 224 — L. D. 261

AN ACT to Establish a Maine Set-aside Program under the State Purchasing Law to Expand Work Opportunities for Multiple Handicapped Citizens.

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

5 MRSA § 1816, sub-§ 11 is enacted to read:

11. Preference for Maine sheltered workshop. Notwithstanding inconsistent provisions of law, the State Purchasing Agent or other contracting officer shall award a contract for the purchase of goods or services made or manufactured by handicapped individuals to an in-state bidder that is a responsible sheltered workshop who has not submitted the lowest bid pursuant to the following provisions.

A. For the purposes of this subsection, the following words have the following meanings.

(1) "Goods or services made or manufactured by handicapped individuals" means goods or services for which not less than 75% of the manhours of direct labor required for production are performed by handicapped individuals.

(2) "Sheltered workshop" means a facility, certified by the United States Department of Labor regulations covering employment of handicapped clients, engaged in production or service operation for the primary purpose of providing gainful employment for those who cannot be readily absorbed in the competitive labor market, or of providing interim employment during such time as employment opportunities for them in the competitive labor market do not exist.

B. Whenever the lowest responsible bidder is not a sheltered workshop, the State Purchasing Agent or other contracting officer shall award the contract to the next lowest responsible bidder which is a sheltered workshop, provided that it has submitted a bid which is no more than 5% higher than the bid of the lowest responsible bidder.

C. If this next lowest responsible sheltered workshop bidder does not agree to accept the contract, the State Purchasing Agent or other contracting officer shall award the contract to another responsible sheltered workshop low bidder who meets the criteria specified in paragraphs A and B. Whenever the State Purchasing Agent or other contracting officer offers a contract to such other sheltered workshop low bidder or bidders, he shall do so in the order of the proximity of each bid to the bid of the lowest responsible bidder.

D. Nothing in this subsection may be construed to affect or limit any power or duty relating to the awarding of contracts which the United States Government reserves to itself.

E. The total value of contracts awarded under the authority of this subsection shall not exceed \$500,000 in the 1981-82 fiscal year, and \$1,000,000 in the 1982-83 fiscal year and thereafter.

Effective September 18, 1981

CHAPTER 496

S. P. 185 — L. D. 463

AN ACT to Establish a Revolving Fund for the Maine State Library.

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

27 MRSA § 4-A is enacted to read:

§ 4-A. Revolving Fund

1. **Fund created.** There is established within the Maine State Library a revolving fund for use by the library to replace books, documents or other materials that are damaged, lost or unrecoverable for which a charge is made.

2. **Price and rates.** The State Librarian is authorized to fix the value of library items at current replacement costs plus a reasonable amount incurred in recovering these items.

3. **Income.** Income received from subsection 2 shall be credited to the revolving fund to be used as a continuing carrying account to carry out the purposes of subsection 1.

Effective September 18, 1981