

PLEASE NOTE: Legislative Information **cannot** perform research, provide legal advice, or interpret Maine law. For legal assistance, please contact a qualified attorney.

An Act To Prohibit State and Local Governments from Contracting with Corporations That Engage in Business in Known Terrorist States

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

Sec. 1. 5 MRSA §1825-B, sub-§1, as amended by PL 1991, c. 780, Pt. Y, §70, is further amended to read:

1. Purchases by competitive bidding; restrictions. The Director of the Bureau of General Services shall purchase collectively all goods and services for the State or any department or agency of the State in a manner that best secures the greatest possible economy consistent with the required grade or quality of the goods or services. Except as otherwise provided by law, the Director of the Bureau of General Services shall make purchases of goods or services needed by the State or any department or agency of the State through competitive bidding. Beginning January 1, 2014, the Director of the Bureau of General Services shall exclude any business entity or individual from doing business with the State if that business entity or individual does business with any company, or any subsidiary, affiliate or parent of any company, that does business with a country designated as a state sponsor of terrorism under the federal Export Administration Act of 1979, 50 United States Code, Section 2405(j) (2000); the federal Arms Export Control Act, 22 United States Code, Section 2780(d) (2000); or the federal Foreign Assistance Act of 1961, 22 United States Code, Section 2371(a) (2000).

Sec. 2. 20-A MRSA §1001, sub-§20 is enacted to read:

20. Prohibition on doing business with certain entities. They shall adopt a policy by January 1, 2014 to exclude any business entity or individual from doing business with the school administrative unit if that business entity or individual does business with any company, or any subsidiary, affiliate or parent of any company, that does business with a country designated as a state sponsor of terrorism under the federal Export Administration Act of 1979, 50 United States Code, Section 2405(j) (2000); the federal Arms Export Control Act, 22 United States Code, Section 2780(d) (2000); or the federal Foreign Assistance Act of 1961, 22 United States Code, Section 2371(a) (2000).

Sec. 3. 20-A MRSA §10013 is enacted to read:

§ 10013. Prohibition on doing business with certain entities

Beginning January 1, 2014, the University of Maine System, the Maine Community College System and the Maine Maritime Academy shall exclude any business entity or individual from doing business with the University of Maine System, the Maine Community College System and the Maine Maritime Academy if that business entity or individual does business with any company, or any subsidiary, affiliate or parent of any company, that does business with a country designated as a state sponsor of terrorism under the federal Export Administration Act of 1979, 50 United States Code, Section 2405(j) (2000); the federal Arms Export Control Act, 22 United States Code, Section 2780(d) (2000); or the federal Foreign Assistance Act of 1961, 22 United States Code, Section 2371(a) (2000).

Sec. 4. 30-A MRSA §109 is enacted to read:

§ 109. Policy against doing business with certain entities

The county commissioners shall adopt a policy by January 1, 2014 to exclude any business entity or individual from doing business with the county if that business entity or individual does business with any company, or any subsidiary, affiliate or parent of any company, that does business with a country designated as a state sponsor of terrorism under the federal Export Administration Act of 1979, 50 United States Code, Section 2405(j) (2000); the federal Arms Export Control Act, 22 United States Code, Section 2780(d) (2000); or the federal Foreign Assistance Act of 1961, 22 United States Code, Section 2371(a) (2000).

Sec. 5. 30-A MRSA §2007 is enacted to read:

§ 2007. Prohibition on doing business with certain entities

Beginning January 1, 2014, a municipal legislative body shall exclude any business entity or individual from doing business with the municipality if that business entity or individual does business with any company, or any subsidiary, affiliate or parent of any company, that does business with a country designated as a state sponsor of terrorism under the federal Export Administration Act of 1979, 50 United States Code, Section 2405(j) (2000); the federal Arms Export Control Act, 22 United States Code, Section 2780(d) (2000); or the federal Foreign Assistance Act of 1961, 22 United States Code, Section 2371(a) (2000).

SUMMARY

This bill requires that, beginning January 1, 2014, the State, the University of Maine System, the Maine Community College System, the Maine Maritime Academy and municipalities exclude any business entity or individual from doing business with the State, the University of Maine System, the Maine Community College System, the Maine Maritime Academy or a municipality if that business entity or individual does business with any company, or any subsidiary, affiliate or parent of any company, that does business with a country designated by federal law as a state sponsor of terrorism. It also requires that counties and school boards adopt policies by January 1, 2014 that require counties and school boards to exclude any business entity or individual from doing business with a county or school board if that business entity or individual does business with any company, or any subsidiary, affiliate or parent of any company, that does business with a country designated as a state sponsor of terrorism.