

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

Amend the bill by striking out the title and substituting the following:

'Resolve, Directing the Department of Administrative and Financial Services To Research whether State Vendors Do Business with State Sponsors of Terrorism and How To Limit Contracts with State Sponsors of Terrorism and Directing the Office of the Attorney General To Review the Recommendations of the Department of Administrative and Financial Services'

Amend the bill by striking out everything after the title and before the summary and inserting the following:

'Sec. 1 Department of Administrative and Financial Services to research whether current state vendors do business with corporations that do business with state sponsors of terrorism. Resolved: That the Department of Administrative and Financial Services shall research whether the State's vendors whose contracts were competitively bid do business with or have affiliates that do 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). The department shall make recommendations on actions the State can take to limit contracts with corporations that contract with terrorist states, excluding corporations providing humanitarian aid to a state sponsor of terrorism and corporations providing services permitted under 31 Code of Federal Regulations, Section 560.508 within a country designated as a state sponsor of terrorism. The department shall report to the Office of the Attorney General and the joint standing committee of the Legislature having jurisdiction over state and local government matters by January 15, 2015 with its findings and recommendations; and be it further

Sec. 2 Office of the Attorney General to review recommendations made by the Department of Administrative and Financial Services. Resolved: That the Office of the Attorney General shall review the recommendations of the Department of Administrative and Financial Services made pursuant to section 1 and advise the joint standing committee of the Legislature having jurisdiction over state and local government matters on any proposals recommended by the department. The Office of the Attorney General shall consider: whether any action taken by the State pursuant to recommendations under section 1 would violate the Foreign Commerce Clause of the United States Constitution; whether the action would interfere with the Federal Government's exclusive power to conduct foreign affairs; and whether the action would be preempted by federal law. The Office of the Attorney General shall report the results of its review to the joint standing committee of the Legislature having jurisdiction over state and local government matters by February 15, 2015; and be it further

HP0955, LD 1338, item 2, 126th Maine State Legislature , Amendment C "A", Filing Number H-474, Sponsored by 'Resolve, Directing the Department of Administrative and Financial Services To Research whether State Vendors Do Business with State Sponsors of Terrorism and How To Limit Contracts with State Sponsors of Terrorism and Directing the Office of the Attorney General To Review the Recommendations of the Department of Administrative and Financial Services'

Sec. 3 Joint standing committee of the Legislature having jurisdiction over state and local government matters may submit a bill to the First Regular Session of the 127th Legislature. Resolved: That the joint standing committee of the Legislature having jurisdiction over state and local government matters may submit a bill related to the subject matter of the reports received under sections 1 and 2 to the First Regular Session of the 127th Legislature; and be it further

Sec. 4 Appropriations and allocations. Resolved: That the following appropriations and allocations are made.

ADMINISTRATIVE AND FINANCIAL SERVICES, DEPARTMENT OF

Purchases - Division of 0007

Initiative: Provides funds to contract for research assistance.

GENERAL FUND	2013-14	2014-15
All Other	\$10,000	\$0
GENERAL FUND TOTAL	\$10,000	\$0

SUMMARY

This amendment is the minority report of the committee and strikes the bill and replaces it with a resolve. The amendment directs the Department of Administrative and Financial Services to research all vendors whose contracts were competitively bid and whether they or their affiliates do business with a country designated as a state sponsor of terrorism. The amendment directs the Department of Administrative and Financial Services to recommend actions the State can take to limit contracts with corporations that contract with terrorist states and report its findings to the Office of the Attorney General and the joint standing committee of the Legislature having jurisdiction over state and local government matters by January 15, 2015. The amendment also directs the Office of the Attorney General to review and advise the joint standing committee on the recommendations from the Department of Administrative and Financial Services. It provides that the joint standing committee may submit a bill related to the subject matter of the reports to the First Regular Session of the 127th Legislature. The amendment also adds an appropriations and allocations section.

FISCAL NOTE REQUIRED
(See attached)