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Date: (Filing No. S- )

**STATE AND LOCAL GOVERNMENT**

Reproduced and distributed under the direction of the Secretary of the Senate.

**STATE OF MAINE  
SENATE  
130TH LEGISLATURE  
FIRST SPECIAL SESSION**

COMMITTEE AMENDMENT “ ” to S.P. 461, L.D. 1411, “An Act To Establish the Maine Buy American and Build Maine Act”

Amend the bill in section 5 in c. 168 in §2047 in subsection 4 in paragraph A in the first line (page 3, line 19 in L.D.) by striking out the following: "\$500" and inserting the following: '\$5,000 per item or per purchase order'

Amend the bill in section 5 in c. 168 in §2049 by striking out all of subsections 2 and 3 (page 5, lines 22 to 35 in L.D.) and inserting the following:

**2. Public improvements.** If, pursuant to section 1743-A, an in-state contractor submits a bid for a public improvement that is substantially similar to but substantially higher than other submitted bids, the public agency shall give the bid from the in-state contractor a preference of 10% applied in a manner determined by the department in rules adopted pursuant to section 2050. If more than one in-state contractor submits a bid that is substantially similar to but substantially higher than other submitted bids, the public agency shall give each in-state contractor a preference of 10% applied in a manner determined by the department in rules adopted pursuant to section 2050.

**3. Procurements.** If, pursuant to section 1825-B, an in-state contractor submits a bid that is substantially similar to but substantially higher than other submitted bids, the public agency shall give the bid from the in-state contractor a preference of 10% applied in a manner determined by the department in rules adopted pursuant to section 2050. If more than one in-state contractor submits a bid that is substantially similar to but substantially higher than other submitted bids, the public agency shall give each in-state contractor a preference of 10% applied in a manner determined by the department in rules adopted pursuant to section 2050.'

Amend the bill by inserting after section 5 the following:

**'Sec. 6. Appropriations and allocations.** The following appropriations and allocations are made.

**ADMINISTRATIVE AND FINANCIAL SERVICES, DEPARTMENT OF**

**COMMITTEE AMENDMENT**

1 **Bureau of General Services - Capital Construction and Improvement Reserve Fund**  
 2 **0883**

3 Initiative: Establishes 2 Planning and Research Associate I positions to conduct research  
 4 on which products are manufactured in the United States and required to be used on certain  
 5 construction projects.

6	<b>GENERAL FUND</b>	<b>2021-22</b>	<b>2022-23</b>
7	POSITIONS - LEGISLATIVE COUNT	2.000	2.000
8	Personal Services	\$123,234	\$127,177
9			
10	GENERAL FUND TOTAL	<u>\$123,234</u>	<u>\$127,177</u>

11 **Bureau of General Services - Capital Construction and Improvement Reserve Fund**  
 12 **0883**

13 Initiative: Establishes 2 Procurement Analyst I positions to review all contracts and to  
 14 implement and enforce the waiver process.

15	<b>GENERAL FUND</b>	<b>2021-22</b>	<b>2022-23</b>
16	POSITIONS - LEGISLATIVE COUNT	2.000	2.000
17	Personal Services	\$129,550	\$133,696
18			
19	GENERAL FUND TOTAL	<u>\$129,550</u>	<u>\$133,696</u>

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21 **ADMINISTRATIVE AND FINANCIAL**  
 22 **SERVICES, DEPARTMENT OF**  
 23 **DEPARTMENT TOTALS**

24		<b>2021-22</b>	<b>2022-23</b>
25	<b>GENERAL FUND</b>	<b>\$252,784</b>	<b>\$260,873</b>
26			
27	<b>DEPARTMENT TOTAL - ALL FUNDS</b>	<u><b>\$252,784</b></u>	<u><b>\$260,873</b></u>

28

29 Amend the bill by relettering or renumbering any nonconsecutive Part letter or section  
 30 number to read consecutively.

31

**SUMMARY**

32 This amendment, which is the majority report of the committee, raises the dollar value  
 33 of a manufactured good to \$5,000 per item or per purchase order. It removes the  
 34 opportunity for in-state contractors to submit a matching bid price and replaces it with a  
 35 10% preference applied in a manner consistent with rules adopted by the Department of  
 36 Administrative and Financial Services. The amendment also adds an appropriations and  
 37 allocations section.

38

**FISCAL NOTE REQUIRED**

39

(See attached)