

BY: Commerce and Government Matters Committee

AMENDMENTS TO SENATE BILL NO. 444

(Third Reading File Bill)

AMENDMENT NO. 1

On page 1, in line 2, before "Local" insert "Reciprocal"; in line 4, strike "percentage"; in the same line, after "preference" insert "program"; strike beginning with "specifying" in line 5 down through "preference" in line 9 and substitute "providing that a preference may be provided if the state or political subdivision in which a nonresident firm is located gives an advantage to its resident businesses; specifying the type of preference that may be granted"; in line 10, strike the second "a"; in line 11, strike "term" and substitute "terms"; in line 12, strike "percentage"; and in the same line, after "preference" insert "program".

AMENDMENT NO. 2

On pages 1 and 2, strike in their entirety the lines beginning with line 23 on page 1 through line 23 on page 2, and substitute:

"A. (1) IN THIS SECTION THE FOLLOWING WORDS HAVE THE MEANINGS INDICATED.

(2) "LOCAL FIRM" MEANS A BUSINESS ENTITY THAT HAS ITS PRINCIPAL OFFICE IN GARRETT COUNTY OR MAINTAINS AN ACTIVE BUSINESS IN GARRETT COUNTY AS DEFINED AND EVIDENCED BY CRITERIA SET BY THE COUNTY COMMISSIONERS BY ORDINANCE OR RESOLUTION.

(3) "NONRESIDENT FIRM" MEANS A BUSINESS ENTITY THAT IS NOT A LOCAL FIRM.

B. THE COUNTY COMMISSIONERS MAY ESTABLISH BY ORDINANCE OR RESOLUTION A LOCAL PREFERENCE PROGRAM APPLICABLE TO CONTRACTS AWARDED BY THE COUNTY BY COMPETITIVE BIDS IN ACCORDANCE WITH THIS

(Over)

SECTION.

C. (1) UNDER A LOCAL PREFERENCE PROGRAM ESTABLISHED UNDER THIS SECTION, IF THE STATE OR THE POLITICAL SUBDIVISION IN WHICH A NONRESIDENT FIRM IS LOCATED GIVES AN ADVANTAGE TO ITS RESIDENT BUSINESSES, THE COUNTY COMMISSIONERS MAY GIVE AN IDENTICAL ADVANTAGE TO THE LOWEST RESPONSIVE AND RESPONSIBLE BID FROM A LOCAL FIRM OVER THAT OF THE NONRESIDENT FIRM.

(2) AN ADVANTAGE MAY INCLUDE:

(I) A PERCENTAGE PREFERENCE;

(II) AN EMPLOYEE RESIDENCY REQUIREMENT; OR

(III) ANY OTHER PROVISION THAT FAVORS A LOCAL FIRM OVER A NONRESIDENT FIRM.”.

On page 2, in line 26, strike “PERCENTAGE”.