

HOUSE BILL NO. HB0063

Public works contracts-resident preferences-2.

Sponsored by: Joint Corporations, Elections and Political
Subdivisions Interim Committee

A BILL

for

1 AN ACT relating to public works contracts; modifying
2 requirements for establishment of residency for vendor
3 preferences; modifying definitions; modifying limitations
4 on subcontracting; and providing for an effective date.

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6 *Be It Enacted by the Legislature of the State of Wyoming:*

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8 **Section 1.** W.S. 16-6-101(a)(i)(intro), (A), (B), (ii)
9 and (iii), 16-6-102(d)(intro), 16-6-103 and 16-6-106 are
10 amended to read:

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12 **16-6-101. Definitions.**

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14 (a) As used in this act:

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16 (i) "Resident" means a person, partnership,

1 limited partnership, registered limited partnership,
2 registered limited liability company or corporation
3 certified as a resident by the department of employment
4 prior to bidding upon the contract, subject to the
5 following criteria: ~~and subject to W.S. 16-6-102(d):~~

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7 (A) Any person who has been a resident of
8 the state for one (1) year or more immediately prior to
9 bidding upon the contract; or

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11 (B) A partnership, ~~or association, each~~
12 ~~member of which has been a resident of~~ limited partnership,
13 registered limited partnership, registered limited
14 liability company or corporation which has maintained an
15 office and place of business within the state for one (1)
16 year or more immediately prior to bidding upon the
17 contract. ~~†~~

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19 (ii) ~~"Principal office" and "principal place of~~
20 ~~business" shall have the meaning as the department of~~
21 ~~employment determines, consistent with the purpose of this~~
22 ~~act, by rule and regulation~~ "Office and place of business"
23 means a headquarters or administrative center where
24 business activities are conducted or controlled;

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(iii) "This act" means W.S. 16-6-101 through

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~~16-6-119~~ 16-6-121.

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16-6-102. Resident contractors; preference limitation with reference to lowest bid; decertification; denial of application for residency.

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(d) The department of employment shall deny or revoke a certificate of residency ~~even~~ if the applicant or certificate holder is not in compliance with W.S. 16-6-101(a) (i) ~~., if the department finds:~~

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16-6-103. Limitation on subcontracting by resident contractors.

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(a) For all contracts subject to this act which are executed during the period beginning July 1, 2006 and ending June 30, 2009, a successful resident bidder shall not subcontract more than ~~twenty percent (20%)~~ thirty percent (30%) of the work covered by his contract to nonresident contractors.

1 executed on or after July 1, 2009, a successful resident
2 bidder shall not subcontract more than twenty percent (20%)
3 of the work covered by his contract to nonresident
4 contractors.

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6 **16-6-106. Statement of Wyoming materials preference**
7 **in requests for bids and proposals.**

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9 All requests for bids and proposals for materials,
10 supplies, agricultural products, equipment, machinery and
11 provisions for the construction, maintenance and upkeep of
12 every state, county, municipal, community college district
13 or school district institution shall contain the words
14 "preference is hereby given to materials, supplies,
15 agricultural products, equipment, machinery and provisions
16 produced, manufactured, ~~supplied~~ or grown in Wyoming, or
17 supplied by a resident of the state, quality being equal to
18 articles offered by the competitors outside of the state".

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20 **Section 2.** W.S. 16-6-101(a)(i)(C) through (G) and
21 16-6-102(d)(i) are repealed.

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1 **Section 3.** This act is effective July 1, 2006.

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(END)