

ONE HUNDRED SECOND LEGISLATURE - FIRST SESSION - 2011
COMMITTEE STATEMENT
LB338

Hearing Date: Wednesday February 09, 2011
Committee On: Government, Military and Veterans Affairs
Introducer: Howard
One Liner: Provide preference requirements for state service and personal property contracts

Roll Call Vote - Final Committee Action:
Indefinitely postponed

Vote Results:

| | | |
|----------------------------|---|---|
| Aye: | 7 | Senators Avery, Brasch, Janssen, Karpisek, Schumacher, Sullivan, Price |
| Nay: | 1 | Senator Pahls |
| Absent: | | |
| Present Not Voting: | | |

Proponents:

Senator Gwen Howard
Ken Mass

Representing:

Introducer
Nebraska State AFL-CIO

Opponents:

Steve Sulek

Representing:

Administrative Services - Material Division

Neutral:

Representing:

Summary of purpose and/or changes:

LB 338 requires any contract for personal services be given a preference if the services are performed in the United States. This provision does not apply to any contract under medicare.

Similarly, personal property purchased by the state will be given preferences if such property is manufactured in the United States. The material division is required to purchase personal property that has been manufactured in the United States unless it falls within an exemption. The exemptions include: property is not manufactured in reasonable quantities in US; price of property manufactured in US exceeds by unreasonable amount the price of property manufactured outside US; the quality of US property is substantially less; it serves the public interest to purchase outside US; the purchase is made in conjunction with telecommunications services or pharmaceutical products.

If a private entity is awarded the contract through the use of the preference and then knowingly performs the services or manufactures the property outside the United States, the private entity is barred from obtaining a state contract for five years, the contract may be void, and damages of three times the value of the contract may be recovered.
