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State of Minnesota
HOUSE OF REPRESENTATIVES

EIGHTY-SEVENTH SESSION

H. F. No. 1793

01/24/2012 Authored by Melin, Rukavina, Mahoney, Nelson, Gauthier and others
The bill was read for the first time and referred to the Committee on Government Operations and Elections

1.1 A bill for an act
1.2 relating to public works; requiring the use or supply of American steel products
1.3 on certain projects; proposing coding for new law in Minnesota Statutes, chapter
1.4 16B.

1.5 BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF MINNESOTA:

1.6 Section 1. [16B.235] PUBLIC WORKS PROJECTS; USE AND SUPPLY OF
1.7 AMERICAN STEEL PRODUCTS.

1.8 Subdivision 1. Definitions. (a) For purposes of this section, the terms defined in this
1.9 subdivision have the meanings given them.

1.10 (b) "American steel products" means products rolled, formed, shaped, drawn,
1.11 extruded, forged, cast, fabricated, or otherwise similarly processed, or processed by a
1.12 combination of two or more of these operations, from steel made in the United States by
1.13 the open hearth, basic oxygen, electric furnace, Bessemer, or other steel-making process.

1.14 (c) "Public agency" includes: (1) the state, or an agency, department, or institution
1.15 of the state; and (2) any city or other municipal corporation, political subdivision,
1.16 governmental unit, or public corporation created by or pursuant to state law.

1.17 (d) "Public funds" includes legislative appropriations and local or state tax revenue.

1.18 (e) "Public works" means a public structure, building, highway, waterway, street,
1.19 bridge, transit system, airport, or other betterment, work, or improvement, whether of a
1.20 permanent or temporary nature and whether for governmental or proprietary use.

1.21 Subd. 2. Requirement. A contract for the construction, reconstruction, alteration,
1.22 repair, improvement, or maintenance of public works financed in whole or in part by
1.23 public funds must contain a provision that all steel products used or supplied in the
1.24 performance of the contract and any related subcontract must be American steel products.

2.1 Subd. 3. **Nonapplication.** This section does not apply if the public agency entering
2.2 into the contract determines, in writing, that (1) American steel products are not produced
2.3 in, or available in, sufficient quantity to meet the requirements of the contract; or (2) the
2.4 cost of using or supplying American steel products would exceed 15 percent of the cost of
2.5 any other steel products obtainable nationally or internationally.

2.6 **EFFECTIVE DATE; APPLICATION.** This section is effective the day following
2.7 final enactment and applies to contracts entered into on and after that date.