

SENATE  
STATE OF MINNESOTA  
EIGHTY-SEVENTH LEGISLATURE

S.F. No. 1502

(SENATE AUTHORS: TOMASSONI)

DATE	D-PG	OFFICIAL STATUS
01/24/2012	3632	Introduction and first reading Referred to Jobs and Economic Growth

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

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

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

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

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

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

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

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

Subd. 2. Requirement. A contract for the construction, reconstruction, alteration,  
repair, improvement, or maintenance of public works financed in whole or in part by  
public funds must contain a provision that all steel products used or supplied in the  
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.