

OPINION  
54-17

February 18, 1954 (OPINION)

CONTRACTORS

RE: Residence Preference

I wish to acknowledge receipt of your request for an opinion regarding the application of the preference statutes to a foreign corporation, authorized to do business in this state and maintaining a bona fide place of business in this state.

It is the opinion of this office that a preference to resident bidders for the furnishing of equipment is not granted by section 24-0235 but is granted by section 44-0801. The definition of a resident bidder or seller, for purposes of preference under section 44-0801 is found in section 44-0802 and in effect states that a resident bidder or seller is one who shall have maintained a bona fide place of business within this state for at least one year prior to the date on which the contract was awarded.

It is immaterial whether a corporation which is entitled to resident preference, makes its bid from its home office in another state or makes it through its North Dakota agent.

ELMO T. CHRISTIANSON

Attorney General