

MAINE STATE LEGISLATURE

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STATE OF MAINE
HOUSE OF REPRESENTATIVES
114TH LEGISLATURE
SECOND REGULAR SESSION

COMMITTEE AMENDMENT "A" to H.P. 1626, L.D. 2248, Bill, "An Act to Discourage Public Competition with Private Enterprise"

Amend the bill in section 2 in that part designated "§3502." by striking out all of subsection 4 and inserting in its place the following:

'4. Prohibition. Except for the following items, a transit district may not sell, rent or lease goods or services to any entity other than a municipality, quasi-municipal corporation or transit district, unless those goods or services are essential to the purchaser and are not available from another source:

A. Advertising space on vehicles owned by the transit district;

B. Existing vacant office or storage space owned by the transit district; and

C. Used equipment not originally purchased for resale.

Transit districts subject to regulation by the Public Utilities Commission under Title 35-A, Part 5, are exempt from this subsection.

5. Penalty. Any transit district violating subsection 4, is subject to a civil penalty of not more than \$5,000, payable to the State, and recoverable in a civil action.'

STATEMENT OF FACT

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This amendment changes the proposed penalty for violating certain prohibitions on the sale, rent or lease of goods and services by transit districts from a Class E crime to a civil penalty not to exceed \$5,000. It also permits transit districts to sell, rent or lease goods and services to municipalities, quasi-municipal corporations and transit districts.

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Transit districts are permitted to sell, rent or lease advertising space on vehicles, existing vacant office or storage space, and used equipment to the private sector. All other transactions with private enterprises are prohibited.

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Transit districts regulated by the Public Utilities Commission are exempted from the bill.

Reported by the Committee on State and Local Government
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