

MAINE STATE LEGISLATURE

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117th MAINE LEGISLATURE

FIRST REGULAR SESSION-1995

Legislative Document

No. 703

H.P. 515

House of Representatives, March 2, 1995

An Act to Protect Private Enterprise from Tax-subsidized Competition.

Reference to the Committee on Taxation suggested and ordered printed.

A handwritten signature in cursive script that reads "Joseph W. Mayo".

JOSEPH W. MAYO, Clerk

Presented by Representative GOOLEY of Farmington.
Cosponsored by Representatives: BIRNEY of Paris, DEXTER of Kingfield, GIERINGER of Portland, GOULD of Greenville, GREENLAW of Standish, GWADOSKY of Fairfield, JACQUES of Waterville, JOY of Crystal, LANE of Enfield, McALEVEY of Waterboro, POIRIER of Saco, POVICH of Ellsworth, ROBICHAUD of Caribou, SIMONEAU of Thomaston, TRIPP of Topsham, TRUMAN of Biddeford, Senators: BEGLEY of Lincoln, BENOIT of Franklin, LORD of York.

2 **Be it enacted by the People of the State of Maine as follows:**

4 **Sec. 1. 13-B MRSA §1308** is enacted to read:

6 **§1308. Competition with private enterprise**

8 A nonprofit corporation is required to obtain all licenses,
10 certificates and registrations required of private corporations
12 or businesses if the nonprofit corporation competes for a project
14 with a private enterprise that is not subsidized, in part or in
16 whole, with public money.

18 **Sec. 2. 20-A MRSA §10006** is enacted to read:

20 **§10006. Competition with private enterprise**

22 A postsecondary institution that receives state financial
24 support is required to obtain all licenses, certificates and
26 registrations required of unsubsidized private corporations or
28 businesses if the postsecondary institution competes with an
30 unsubsidized private corporation or business for a project.

32 **Sec. 3. 32 MRSA §4684**, as corrected by RR 1993, c. 1, §§92 to
34 94, is amended by adding at the end a new paragraph to read:

36 Notwithstanding Title 36, chapter 211, a nonprofit
38 corporation or state-supported postsecondary institution that
40 competes with unsubsidized private sellers must obtain a seller's
registration certificate.

STATEMENT OF FACT

This bill requires that nonprofit corporations and state-supported postsecondary institutions obtain the same licenses, certification and registrations required of private enterprise when they compete with unsubsidized private corporations for projects or sales.