

2		L.D. 533
	DATE: 2 7 2000	(Filing No. $S - 479$)
4		
6	STATE AND LOCAL GOVERNMENT	
8	Reported by:	
10	Reproduced and distributed of the Senate.	under the direction of the Secretary
12	STA	PE OF MAINE
14	STATE OF MAINE SENATE 119TH LEGISLATURE	
16		REGULAR SESSION
18		
20		" to S.P. 179, L.D. 533, Bill, "An om Competing with Private Industry"
22		king out the title and substituting
24	the following:	
26	'An Act Concerning State Enterprise'	Government Competition with Private
28		by striking out all of section 1
30	(page 1, lines 3 to 12 in s following:	L.D.) and inserting in its place the
32	' Sec.1. 5 MRSA §55 is e	nacted to read:
34	<u>§55. Advisory Committee on 1</u> Enterprise	air Competition with Private
36	_	
38	state governmental agencies	e provision of goods or services by or institutions to the public may practices with private enterprise in
40		ee on Fair Competition with Private n section 12004-I, subsection 2-E and
42	referred to in this section	as the "committee," is created to
44		responding to concerns raised by the competition with private enterprise.
46	1. Membership. The	committee consists of 9 members as
48	follows:	
-20	A. Three members repres	enting State Government, including:

And S.

Page 1-LR1179(3)

COMMITTEE AMENDMENT " ${f B}$ " to S.P. 179, L.D. 533

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2	(1) The Commissioner of Administrative and Financial
	Services, or the commissioner's designee, who shall
4	serve as the chair of the committee;
б	(2) The Commissioner of Economic and Community Development or the commissioner's designee; and
8	
10	(3) One of the following 3 officials appointed on a rotating basis:
12	(a) The Commissioner of Education or a designee;
14	(b) The President of the Maine Technical College System or a designee; or
16	
18	(c) The Chancellor of the University of Maine System or a designee;
20	B. A member representing employees of State Government, appointed by the Governor;
22	
24	C. Three members representing private enterprise, including at least 2 members who represent businesses with fewer than 100 employees, appointed by the Governor; and
26	
28	D. Two members representing the public, appointed by the Governor.
30	2. Terms of appointment. Terms of appointment are as follows:
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24	A. The terms of appointment for the Commissioner of
34	Administrative and Financial Services and the Commissioner of Economic and Community Development coincide with their
36	terms of office;
38	B. The term of appointment for the Commissioner of Education, the President of the Maine Technical College
40	System or the Chancellor of the University of Maine System is one year;
42	
44	<u>C. Of the remaining 6 initial members, 2 must be appointed</u> for terms of 3 years, 2 must be appointed for terms of 2
44	years and 2 must be appointed for terms of one year.
46	Members appointed to terms under this paragraph are eligible for reappointment; and
48	
50	D. After initial appointments, members appointed pursuant to subsection 1, paragraphs B, C and D serve 3-year terms.
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Page 2-LR1179(3)



2	3. Duties of committee. The committee shall meet at least
	<u>once each guarter to review complaints from private enterprise of</u>
4	potentially unfair competition practices by State Government and
~	to make recommendations regarding the disposition of these
6	complaints to the Governor and, when appropriate, to the
8	Legislature.
o	4. Staffing of committee. The Department of Administrative
10	and Financial Services shall provide administrative and staff
1 0	support to the committee. Within 30 days of a committee meeting,
12	the department shall provide minutes of the meeting to the joint
	standing committee of the Legislature having jurisdiction over
14	state and local government matters.
16	5. Report of committee. The committee shall report by
	January 15th of each year to the Governor and to the joint
18	standing committee of the Legislature having jurisdiction over
	state and local government matters on its activities and shall
20	recommend changes in policies or practices that assist in
2.0	achieving the purposes of this section,
22	Sec. 2. EMDSA \$12004 Laub \$2 E
24	Sec. 2. 5 MRSA §12004-I, sub-§2-E is enacted to read:
24	2-E. Advisory Not <u>5 MRSA</u>
26	Business Committee Authorized §55'
20	on Fair
28	Competition
	with Private
30	Enterprise
32	Further amend the bill by inserting at the end before the
	summary the following:
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26	'FISCAL NOTE
36	
38	The Department of Administrative and Financial Services will
20	incur some minor additional costs to provide administrative and staff support to the Advisory Committee on Fair Competition with
40	Private Enterprise. These costs can be absorbed within the
	department's existing budgeted resources.
42	
	The additional costs associated with serving on the advisory
44	committee can be absorbed by the affected departments and
	agencies utilizing existing budgeted resources.'
46	
	SUMMARY
46 48	
48	This amendment is the minority report. It establishes a

Page 3-LR1179(3)

COMMITTEE AMENDMENT "B" to S.P. 179, L.D. 533

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regarding potentially unfair competition practices by the State with private enterprise. The advisory committee is directed to 2 meet at least once quarterly and to submit an annual report by 4 January 15th of each year to the Governor and the joint standing committee of the Legislature having jurisdiction over state and 6 local government matters. The amendment also requires the Department of Administrative and Financial Services, which provides staff services to the committee, to provide minutes of 8 the committee's meetings to the joint standing committee of the Legislature having jurisdiction over state and local government 10 matters. The amendment also adds a fiscal note.

Page 4-LR1179(3)