

MAINE STATE LEGISLATURE

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AMs

L.D. 533

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STATE AND LOCAL GOVERNMENT

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STATE OF MAINE
SENATE
119TH LEGISLATURE
SECOND REGULAR SESSION

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COMMITTEE AMENDMENT "B" to S.P. 179, L.D. 533, Bill, "An Act to Prohibit the State from Competing with Private Industry"

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Amend the bill by striking out the title and substituting the following:

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'An Act Concerning State Government Competition with Private Enterprise'

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Further amend the bill by striking out all of section 1 (page 1, lines 3 to 12 in L.D.) and inserting in its place the following:

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'Sec. 1. 5 MRSA §55 is enacted to read:

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§55. Advisory Committee on Fair Competition with Private Enterprise

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In recognition that the provision of goods or services by state governmental agencies or institutions to the public may result in unfair competition practices with private enterprise in Maine, the Advisory Committee on Fair Competition with Private Enterprise, as established in section 12004-I, subsection 2-E and referred to in this section as the "committee," is created to assist State Government in responding to concerns raised by the public regarding government competition with private enterprise.

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1. Membership. The committee consists of 9 members as follows:

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A. Three members representing State Government, including:

COMMITTEE AMENDMENT

R.S.

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

2 (1) The Commissioner of Administrative and Financial
4 Services, or the commissioner's designee, who shall
 serve as the chair of the committee;

6 (2) The Commissioner of Economic and Community
 Development or the commissioner's designee; and

8 (3) One of the following 3 officials appointed on a
10 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 (c) The Chancellor of the University of Maine
18 System or a designee;

20 B. A member representing employees of State Government,
22 appointed by the Governor;

24 C. Three members representing private enterprise, including
 at least 2 members who represent businesses with fewer than
26 100 employees, appointed by the Governor; and

28 D. Two members representing the public, appointed by the
 Governor.

30 2. Terms of appointment. Terms of appointment are as
32 follows:

34 A. The terms of appointment for the Commissioner of
 Administrative and Financial Services and the Commissioner
36 of Economic and Community Development coincide with their
 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
42 is one year;

44 C. Of the remaining 6 initial members, 2 must be appointed
 for terms of 3 years, 2 must be appointed for terms of 2
46 years and 2 must be appointed for terms of one year.
 Members appointed to terms under this paragraph are eligible
48 for reappointment; and

50 D. After initial appointments, members appointed pursuant
 to subsection 1, paragraphs B, C and D serve 3-year terms.

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

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

COMMITTEE AMENDMENT