MAINE STATE LEGISLATURE

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120th MAINE LEGISLATURE

FIRST REGULAR SESSION-2001

No. 582

S.P. 163

Legislative Document

In Senate, February 6, 2001

An Act to Prohibit the State from Competing with Private Industry.

Reference to the Committee on State and Local Government suggested and ordered printed.

JOY J. O'BRIEN Secretary of the Senate

Presented by Senator McALEVEY of York.

2	Sec. 1. 17 MRSA §3104, as amended by PL 1975, c. 771, §164,
4	is repealed and the following enacted in its place:
6	§3104. Conflicts of interest; purchases by State
8	1. Prohibition. An employee of the State or any other person holding a place of trust with the State may not have any
10	direct or indirect pecuniary interest in, or otherwise receive or
12	be eligible to receive, directly or indirectly, any benefit that may arise therefrom, any contract made in behalf of the State.
14	2. State defined. As used in this section, "State" means
16	the State of Maine or any office, department, agency, authority, commission, board, institution, hospital or other instrumentality
18	thereof.
20	3. Violative contract void. Any contract made in violation of this section is void.
22	4. Exemptions. This section does not apply to:
24	A. Purchases of the State by the Governor under authority of Title 1, section 814; and
26	
28	B. Contracts made with a corporation that has issued shares to the public for the general benefit of that corporation.
30	CITEGRA DAY
32	SUMMARY
34	This bill revises the language of the existing prohibition against conflicts of interest in state purchases to more clearly
36	prohibit the State and its employees and agents from providing services for fees or from undertaking enterprises that compete with private industry.

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