

MAINE STATE LEGISLATURE

The following document is provided by the
LAW AND LEGISLATIVE DIGITAL LIBRARY
at the Maine State Law and Legislative Reference Library
<http://legislature.maine.gov/lawlib>



Reproduced from scanned originals with text recognition applied
(searchable text may contain some errors and/or omissions)



121st MAINE LEGISLATURE

FIRST REGULAR SESSION-2003

Legislative Document

No. 1285

S.P. 416

In Senate, March 11, 2003

An Act To Promote and Protect Private Enterprise

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

A handwritten signature in cursive script, reading 'Joy J. O'Brien'.

JOY J. O'BRIEN
Secretary of the Senate

Presented by Senator MITCHELL of Penobscot.
Cosponsored by Representative TARDY of Newport and
Senators: CATHCART of Penobscot, GILMAN of Cumberland, MARTIN of Aroostook,
SAWYER of Penobscot, TURNER of Cumberland, YOUNGBLOOD of Penobscot.

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

4 **Sec. 1. 5 MRSA §55-A** is enacted to read:

6 **§55-A. Unfair competition**

8 **1. Prohibition.** A state agency that provides goods or
services to the public, may not unfairly compete with private
enterprise in the State.

10
12 **2. Prior approval required.** Before a state agency may
provide goods or services to the public, that agency must refer
14 the matter for review and approval to the Advisory Committee on
Fair Competition with Private Enterprise, established in section
16 12004-I, subsection 2-E. If the Advisory Committee on Fair
Competition with Private Enterprise finds that the proposed
18 activity will result in unfair competition, the state agency may
not provide those goods or services.

20 **3. Effective date.** This section takes effect January 15,
22 2004.

24 **SUMMARY**

26 This bill requires that, before a state agency may provide
goods or services to the public, the matter must be reviewed and
28 approved by the Advisory Committee on Fair Competition with
Private Enterprise.
30