

MAINE STATE LEGISLATURE

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123rd MAINE LEGISLATURE

SECOND REGULAR SESSION-2008

Legislative Document

No. 2096

H.P. 1482

House of Representatives, December 27, 2007

An Act Regarding International Trade Agreements

Approved for introduction by a majority of the Legislative Council pursuant to Joint Rule 203.

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

Millicent M. MacFarland
MILLICENT M. MacFARLAND
Clerk

Presented by Representative PATRICK of Rumford.
Cosponsored by Senator BRYANT of Oxford and
Representatives: BRIGGS of Mexico, BRYANT of Windham, Speaker CUMMINGS of
Portland, JACKSON of Allagash, PINGREE of North Haven, THERIAULT of Madawaska,
TREAT of Hallowell, Senator: President EDMONDS of Cumberland.

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

2 **Sec. 1. 1 MRSA §30** is enacted to read:

3 **§30. International trade agreements**

4 **1. Definitions.** As used in this section, unless the context otherwise indicates, the
5 following terms have the following meanings.

6 A. "International trade agreement" means a trade agreement or memorandum of
7 agreement between the United States Government and a foreign country to which the
8 State, at the request of the United States Government, is or would be a party.
9 "International trade agreement" does not include a trade agreement or memorandum
10 of agreement between the State or a political subdivision of the State and a foreign
11 country to which the United States Government is not a party.

12 **2. Prohibition.** Except as provided in subsection 3, a state official, including the
13 Governor, may not:

14 A. Bind the State to the government procurement rules, service sector rules or
15 investment rules of an international trade agreement; or

16 B. Give consent to the United States Government to bind the State to the government
17 procurement rules, service sector rules or investment rules of an international trade
18 agreement.

19 **3. Exception.** A state official, including the Governor, may bind the State or give
20 consent to the United States Government to bind the State to the government procurement
21 rules, service sector rules and investment rules of an international trade agreement only if
22 the Legislature, by law, explicitly authorizes the Governor to bind the State or give
23 consent to the United States Government to bind the State to the government procurement
24 rules, service sector rules and investment rules of that specific international trade
25 agreement.

26 **SUMMARY**

27 This bill requires legislative approval before any state official, including the
28 Governor, may bind the State to the procurement rules, service sector rules or investment
29 rules of an international trade agreement. It is modeled on similar legislation recently
30 enacted in Maryland, Rhode Island and Hawaii.