

MAINE STATE LEGISLATURE

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124th MAINE LEGISLATURE

FIRST REGULAR SESSION-2009

Legislative Document

No. 598

S.P. 213

In Senate, February 17, 2009

**An Act To Protect Private Enterprise from Tax-subsidized
Competition by Imposing Requirements on Certain Postsecondary
Institutions**

Reference to the Committee on Business, Research and Economic Development suggested and ordered printed.

A handwritten signature in cursive script that reads "Joy J. O'Brien".

JOY J. O'BRIEN
Secretary of the Senate

Presented by Senator GOOLEY of Franklin.
Cosponsored by Representative LEWIN of Eliot and
Senators: DAMON of Hancock, MILLS of Somerset, SMITH of Piscataquis, Representatives:
BRYANT of Windham, HARVELL of Farmington, KNIGHT of Livermore Falls, MAZUREK
of Rockland, NUTTING of Oakland.

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

2 Sec. 1. 20-A MRSA §10009 is enacted to read:

3 **§10009. State financial assistance**

4 A postsecondary institution that receives state financial assistance must obtain all
5 licenses, certificates and registrations that are required of a private corporation or
6 business that does not receive state financial assistance if the postsecondary institution
7 competes with a private corporation or business that does not receive state financial
8 assistance.

9 Sec. 2. 32 MRSA §14706, sub-§6, as enacted by PL 2001, c. 324, §12, is
10 amended to read:

11 6. **Seller's certificate.** The number of a valid transient seller of consumer
12 merchandise's registration certificate issued to the applicant by the State Tax Assessor
13 pursuant to Title 36, chapter 211 or satisfactory evidence that the applicant is not required
14 to be registered under that Title.

15 Notwithstanding the provisions of Title 36, chapter 211, a postsecondary institution that
16 receives state financial assistance and competes with a private corporation or business
17 that does not receive state financial assistance must obtain a seller's registration
18 certificate.

19 **SUMMARY**

20 This bill requires that state-supported postsecondary institutions obtain the same
21 licenses, certification and registrations required of a private corporation or business that
22 does not receive state financial assistance if the postsecondary institution competes with a
23 private corporation or business that does not receive state financial assistance and obtain
24 a seller's registration certificate.