

# MAINE STATE LEGISLATURE

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# 125th MAINE LEGISLATURE

## FIRST REGULAR SESSION-2011

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Legislative Document

No. 118

H.P. 100

House of Representatives, January 20, 2011

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

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

A handwritten signature in cursive script that reads "Heather J.R. Priest".

HEATHER J.R. PRIEST  
Clerk

Presented by Representative HARVELL of Farmington.  
Cosponsored by Senator THOMAS of Somerset and  
Representatives: DOW of Waldoboro, GIFFORD of Lincoln, LIBBY of Waterboro, PARRY  
of Arundel, PLUMMER of Windham, PRESCOTT of Topsham, VOLK of Scarborough,  
Senator: WHITTEMORE of Somerset.

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

2 **Sec. 1. 20-A MRSA §10011** is enacted to read:

3 **§10011. 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 a state-supported postsecondary institution obtain the same  
21 licenses, certificates 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.