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

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

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

§ 10009. State financial assistance

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

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

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

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

SUMMARY

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