

PLEASE NOTE: Legislative Information **cannot** perform research, provide legal advice, or interpret Maine law. For legal assistance, please contact a qualified attorney.

An Act Regarding International Trade Agreements

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

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

§ 30. International trade agreements

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

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

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

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

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

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

SUMMARY

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