

MAINE STATE LEGISLATURE

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MAJORITY
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STATE OF MAINE
HOUSE OF REPRESENTATIVES
121ST LEGISLATURE
SECOND SPECIAL SESSION

COMMITTEE AMENDMENT "A" to H.P. 1337, L.D. 1815, Bill, "An Act To Establish the Maine Jobs, Trade and Democracy Act"

Amend the bill by striking out all of section 2 and inserting in its place the following:

'Sec. 2. 10 MRSA c. 1-A is enacted to read:

CHAPTER 1-A

INTERNATIONAL TRADE AND THE ECONOMY

§11. Maine Jobs, Trade and Democracy Act

1. Short title. This section may be known and cited as "the Maine Jobs, Trade and Democracy Act."

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

A. "Commission" means the Citizen Trade Policy Commission established in Title 5, section 12004-I, subsection 79-A.

B. "Trade agreement" means any agreement reached between the United States Government and any other country, countries or other international political entity or

COMMITTEE AMENDMENT

2 entities that proposes to regulate trade among the parties
3 to the agreement. "Trade agreement" includes, but is not
4 limited to, the North American Free Trade Agreement,
5 agreements with the World Trade Organization and the
6 proposed Free Trade Area of the Americas.

7 3. Purposes. The commission is established to assess and
8 monitor the legal and economic impacts of trade agreements on
9 state and local laws, working conditions and the business
10 environment; to provide a mechanism for citizens and Legislators
11 to voice their concerns and recommendations; and to make policy
12 recommendations designed to protect Maine's jobs, business
13 environment and laws from any negative impact of trade agreements.

14 4. Membership. The commission consists of the following
15 members:

16 A. The following 17 voting members:

17 (1) Three Senators representing at least 2 political
18 parties, appointed by the President of the Senate;

19 (2) Three members of the House of Representatives
20 representing at least 2 political parties, appointed by
21 the Speaker of the House;

22 (3) The Attorney General or the Attorney General's
23 designee;

24 (4) Four members of the public, appointed by the
25 Governor as follows:

26 (a) A small business person;

27 (b) A small farmer;

28 (c) A representative of a nonprofit organization
29 that promotes fair trade policies; and

30 (d) A representative of a Maine-based corporation
31 that is active in international trade;

32 (5) Three members of the public appointed by the
33 President of the Senate as follows:

34 (a) A health care professional;

35 (b) A representative of a Maine-based
36 manufacturing business with 25 or more employees;
37 and

2 (c) A representative of an economic development
 organization; and

4 (6) Three members of the public appointed by the
 Speaker of the House as follows:

6 (a) A person who is active in the organized labor
8 community;

10 (b) A member of a nonprofit human rights
 organization; and

12 (c) A member of a nonprofit environmental
14 organization.

16 In making appointments of members of the public, the
18 appointing authorities shall make every effort to appoint
20 representatives of generally recognized and organized
 constituencies of the interest groups mentioned in
 subparagraphs (4), (5) and (6); and

22 B. The following 5 commissioners or the commissioners'
24 designees of the following 5 departments who serve as ex
 officio, nonvoting members:

26 (1) Department of Labor;

28 (2) Department of Economic and Community Development;

30 (3) Department of Environmental Protection;

32 (4) Department of Agriculture, Food and Rural
 Resources; and

34 (5) Department of Human Services.

36 5. Terms; vacancies; limits. Except for Legislators,
38 commissioners and the Attorney General, who serve terms
40 coincident with their elective or appointed terms, all members
42 are appointed for 3-year terms. A vacancy must be filled by the
44 same appointing authority that made the original appointment.
 Appointed members may not serve more than 2 terms. Members may
 continue to serve until their replacements are designated. A
 member may designate an alternate to serve on a temporary basis.

46 6. Chair; officers; rules. The first-named Senate member
48 and the first-named House of Representatives member are cochair
 of the commission. The commission shall appoint other officers
 as necessary and make rules for orderly procedure.

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2 7. Compensation. Legislators who are members of the
3 commission are entitled to receive the legislative per diem and
4 expenses as defined in Title 3, section 2 for their attendance to
5 their duties under this chapter. Other members are entitled to
6 receive reimbursement of necessary expenses if they are not
7 otherwise reimbursed by their employers or others whom they
8 represent.

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10 8. Staff. The Office of Policy and Legal Analysis shall
11 provide the necessary staff support for the operation of the
12 commission. After one year, the commission shall assess the need
13 for and qualifications of a staff person, for example, an
14 executive director. If the commission determines that it
15 requires such a person, it may request additional funds from the
16 Legislature.

17 9. Powers and duties. The commission:

18 A. Shall meet at least twice annually;

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20 B. Shall hear public testimony and recommendations from the
21 people of the State and qualified experts when appropriate
22 at no fewer than 2 locations throughout the State each year
23 on the actual and potential social, environmental, economic
24 and legal impacts of international trade agreements and
25 negotiations on the State;

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27 C. Shall conduct an annual assessment of the impacts of
28 international trade agreements on Maine's state laws,
29 municipal laws, working conditions and business environment;

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31 D. Shall maintain active communications with and submit an
32 annual report to the Governor, the Legislature, the Attorney
33 General, municipalities, Maine's congressional delegation,
34 the Maine International Trade Center, the Maine Municipal
35 Association, the United States Trade Representative's
36 Office, the National Conference of State Legislatures and
37 the National Association of Attorneys General or the
38 successor organization of any of these groups. The
39 commission shall make the report easily accessible to the
40 public by way of a publicly accessible site on the Internet
41 maintained by the State. The report must contain
42 information acquired pursuant to activities under paragraphs
43 B and C;

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45 E. Shall maintain active communications with any entity the
46 commission determines appropriate regarding ongoing
47 developments in international trade agreements and policy;

48
49 F. May recommend or submit legislation to the Legislature;
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G. May recommend that the State support, or withhold its support from, future trade negotiations or agreements; and

H. May examine any aspects of international trade, international economic integration and trade agreements that the members of the commission consider appropriate.

10. Outside funding. The commission may seek and accept outside funding to fulfill commission duties. Prompt notice of solicitation and acceptance of funds must be sent to the Legislative Council. All funds accepted must be forwarded to the Executive Director of the Legislative Council, along with an accounting that includes the amount received, the date that amount was received, from whom that amount was received, the purpose of the donation and any limitation on use of the funds. The executive director administers any funds received.

11. Evaluation. By December 31, 2009, the commission shall conduct an evaluation of its activities and recommend to the Legislature whether to continue, alter or cease the commission's activities.'

Further amend the bill by inserting after section 3 the following:

'Sec. 4. Appropriations and allocations. The following appropriations and allocations are made.

LEGISLATURE

Legislature

Initiative: Provides funds for the per diem and expenses for members of the Citizen Trade Policy Commission as well as public hearing and general operation expenses. A base allocation in the amount of \$500 is included below in the event outside sources of funding are received for this purpose.

General Fund	2003-04	2004-05
Personal Services	\$0	\$1,320
All Other	0	11,050
General Fund Total	\$0	\$12,370
 Other Special Revenue Funds	 2003-04	 2004-05
All Other	\$0	\$500
Other Special Revenue Funds Total	\$0	\$500'

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SUMMARY

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This amendment changes 3 of the members of the Citizen Trade Policy Commission and adds 5 ex officio nonvoting members to the commission. It allows members to appoint alternate members to serve on a temporary basis.

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The amendment reduces the number of required public hearings to 2 each year, instead of 5 in the first year and 3 in subsequent years. It specifies that the first-named Senate member of the commission and the first-named House of Representatives member are the cochairs of the commission. It also changes compensation so that Legislators receive per diem and expenses for attendance at meetings and other members receive reimbursement of expenses if they are not otherwise reimbursed for those costs.

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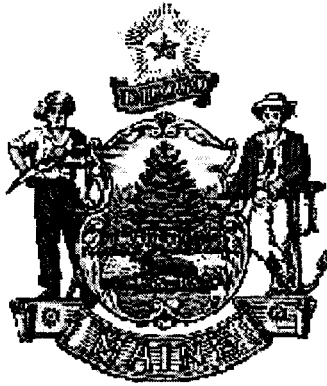
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The amendment allows the commission to seek and accept outside funding to assist the commission in carrying out its assigned duties and adds an appropriations and allocations section.

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FISCAL NOTE REQUIRED
(See attached)

**121st Maine Legislature
Office of Fiscal and Program Review**

**LD 1815**

An Act To Establish the Maine Jobs, Trade and Democracy Act

LR 2551(02)

Fiscal Note for Bill as Amended by Committee Amendment " "

Committee: Labor

Fiscal Note Required: Yes

Fiscal Note

	2003-04	2004-05	Projections 2005-06	Projections 2006-07
Net Cost (Savings)				
General Fund	\$0	\$12,370	\$12,370	\$12,370
Appropriations/Allocations				
General Fund	\$0	\$12,370	\$12,370	\$12,370
Other Special Revenue Funds	\$0	\$500	\$500	\$500

Fiscal Detail and Notes

Establishing an ongoing Citizen Trade Policy Commission requires a General Fund appropriation to the Legislature in the amount of \$12,370 in fiscal year 2004-05 and annually thereafter. This appropriation will provide funds for per diem and expenses for members of the commission as well as public hearing and general operating expenses.

Authorizing the commission to seek funds from other sources may result in the collection of Other Special Revenue Funds beginning in fiscal year 2004-05. A base allocation of Other Special Revenue Funds in the amount of \$500 is included in the bill in the event outside sources of funding are received for this purpose.