

# MAINE STATE LEGISLATURE

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# 124th MAINE LEGISLATURE

## FIRST REGULAR SESSION-2009

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Legislative Document

No. 1413

H.P. 989

House of Representatives, April 7, 2009

**Resolve, To Implement Select Recommendations of the Joint Select  
Committee on Future Maine Prosperity**

(EMERGENCY)

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

*Millicent M. MacFarland*  
MILLICENT M. MacFARLAND  
Clerk

Presented by Representative COHEN of Portland.  
Cosponsored by Senator DAMON of Hancock and  
Representatives: GILES of Belfast, HUNT of Buxton, PIOTTI of Unity, SMITH of  
Monmouth, Senators: COURTNEY of York, PLOWMAN of Penobscot, RECTOR of Knox,  
SCHNEIDER of Penobscot.

1       **Emergency preamble. Whereas,** acts and resolves of the Legislature do not  
2 become effective until 90 days after adjournment unless enacted as emergencies; and

3       **Whereas,** the Joint Select Committee on Future Maine Prosperity issued its final  
4 report in January 2008; and

5       **Whereas,** the committee's report recommended a wide variety of strategies and  
6 actions designed to improve the State's economy and support greater prosperity for all  
7 citizens of the State; and

8       **Whereas,** the committee's report specifically called for an improved business  
9 climate in the State; and

10       **Whereas,** the committee's report acknowledged that it was critical that state  
11 agencies work to improve relationships with the business community and eliminate  
12 adversarial relationships; and

13       **Whereas,** the committee's report specifically recommended that the Governor direct  
14 all state agencies to reinvent themselves and how they interact with businesses in the  
15 State in order to provide a consistent, efficient and effective regulatory environment; and

16       **Whereas,** the committee's report called for regulatory reform that achieves goals in  
17 a manner that minimizes unnecessary and unproductive conflicts and redundancies for the  
18 regulated community; and

19       **Whereas,** this resolve needs to take effect before the expiration of the 90-day period  
20 in order for the report required in this legislation to be completed in a timely fashion; and

21       **Whereas,** in the judgment of the Legislature, these facts create an emergency within  
22 the meaning of the Constitution of Maine and require the following legislation as  
23 immediately necessary for the preservation of the public peace, health and safety; now,  
24 therefore, be it

25       **Sec. 1. Commission established. Resolved:** That the Commission To Improve  
26 the Business Climate, referred to in this resolve as "the commission," is established; and  
27 be it further

28       **Sec. 2. Commission membership. Resolved:** That, notwithstanding Joint Rule  
29 353, the commission consists of 8 members appointed as follows:

- 30           1. One Senator appointed by the President of the Senate;
- 31           2. One member of the House of Representatives appointed by the Speaker of the  
32 House;
- 33           3. The chairs of the Joint Standing Committee on Business, Research and Economic  
34 Development; and

1 4. Four members from state agencies that regulate the business community,  
2 including one member from the Department of Professional and Financial Regulation and  
3 one member from the Department of Economic and Community Development, appointed  
4 by the Governor; and be it further

5 **Sec. 3. Chairs. Resolved:** That the chairs of the Joint Standing Committee on  
6 Business, Research and Economic Development are the chairs of the commission; and be  
7 it further

8 **Sec. 4. Appointments; convening of commission. Resolved:** That all  
9 appointments must be made no later than 30 days following the effective date of this  
10 resolve. The appointing authorities shall notify the Executive Director of the Legislative  
11 Council once all appointments have been completed. Within 15 days after appointment  
12 of all members, the chairs shall call and convene the first meeting of the commission,  
13 which must be no later than 30 days after the appointments; and be it further

14 **Sec. 5. Duties. Resolved:** That the commission shall study all aspects of  
15 advancing the State's business climate through improving the efficiency, effectiveness  
16 and consistency of the State's regulatory systems, as well as improving the relationships  
17 between regulators and the regulated community; and be it further

18 **Sec. 6. Staff assistance. Resolved:** That the Legislative Council shall provide  
19 necessary staffing services to the commission; and be it further

20 **Sec. 7. Report. Resolved:** That, no later than January 1, 2010, the commission  
21 shall submit a report that includes its findings and recommendations, including suggested  
22 legislation, for presentation to the Second Regular Session of the 124th Legislature. The  
23 Joint Standing Committee on Business, Research and Economic Development is  
24 authorized to introduce a bill related to the subject matter of the report to the Second  
25 Regular Session of the 124th Legislature upon receipt of the report.

26 **Emergency clause.** In view of the emergency cited in the preamble, this  
27 legislation takes effect when approved.

28 **SUMMARY**

29 This resolve establishes the Commission To Improve the Business Climate in order to  
30 study all aspects of advancing the State's business climate through improving the  
31 efficiency, effectiveness and consistency of the State's regulatory systems, as well as  
32 improving the relationships between regulators and the regulated community

33 The commission is required to submit a report that includes its findings and  
34 recommendations, including suggested legislation, for presentation to the Second Regular  
35 Session of the 124th Legislature. The Joint Standing Committee on Business, Research  
36 and Economic Development is authorized to introduce a bill related to the subject matter  
37 of the report to the Second Regular Session of the 124th Legislature.