

# MAINE STATE LEGISLATURE

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# 116th MAINE LEGISLATURE

## SECOND REGULAR SESSION-1994

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Legislative Document

No. 1996

S.P. 773

In Senate, March 31, 1994

**Resolve, to Establish a Commission on the Future of Maine's Paper Industry.**

(EMERGENCY)

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Reference to the Committee on Housing and Economic Development suggested and ordered printed.

A handwritten signature in cursive script that reads "Joy J. O'Brien".

JOY J. O'BRIEN  
Secretary of the Senate

Presented by Senator ESTY of Cumberland.  
Cosponsored by Representative PINEAU of Jay and  
Senators: BALDACCI of Penobscot, BUSTIN of Kennebec, BUTLAND of Cumberland, CAHILL of Sagadahoc, CARPENTER of York, CIANCHETTE of Somerset, DUTREMBLE of York, HALL of Piscataquis, HANDY of Androscoggin, LAWRENCE of York, LUTHER of Oxford, O'DEA of Penobscot, PARADIS of Aroostook, PINGREE of Knox, VOSE of Washington; Representatives: AHEARNE of Madawaska, BRUNO of Raymond, CARROLL of Gray, CASHMAN of Old Town, CHONKO of Topsham, CLARK of Millinocket, COLES of Harpswell, DRISCOLL of Calais, GOULD of Greenville, GWADOSKY of Fairfield, JACQUES of Waterville, KERR of Old Orchard Beach, KONTOS of Windham, LARRIVEE of Gorham, LIBBY of Buxton, LORD of Waterboro, MELENDY of Rockland, MICHAUD of East Millinocket, O'GARA of Westbrook, PARADIS of Augusta, POULIN of Oakland, REED of Falmouth, ROTONDI of Athens, RUHLIN of Brewer, SWAZEY of Bucksport, THOMPSON of Lincoln, TOWNSEND of Eastport, TRACY of Rome.

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

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6           Whereas, the paper industry has served as a mainstay of the  
State's economy for over 100 years, directly or indirectly  
providing vital employment to thousands of families in the State;  
and

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10           Whereas, the health of the paper industry nationally is in  
doubt and recent production declines within the State have  
brought into question the industry's long-term ability to remain  
a major part of the State's economy; and

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14           Whereas, these developments threaten the paper industry's  
historic role as a major employer in the State, creating the  
potential for a devastating ripple effect throughout the State's  
economy; and

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18           Whereas, the continued health and vitality of the paper  
industry in the State is an issue of vital concern to the entire  
State and deserving of immediate study to determine what problems  
the industry is facing and what, if any, actions the State may  
take to assist the industry; and

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

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26           **Sec. 1. Commission established. Resolved:** That the Commission  
on the Future of Maine's Paper Industry is established; and be it  
further

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30           **Sec. 2. Commission membership. Resolved:** That the commission  
consists of 7 members:

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34           1. Three members appointed by the Governor;  
36           2. Two members appointed by the President of the Senate; and  
38           3. Two members appointed by the Speaker of the House of  
Representatives.

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42           In making these appointments, the appointing authority shall  
consider the appointment of persons with expertise and experience  
in economics, business or finance; and be it further

2           **Sec. 3. Appointments; meetings; chair. Resolved:** That all  
3 appointments must be made no later than 30 days following the  
4 effective date of this resolve. The Executive Director of the  
5 Legislative Council must be notified by all appointing  
6 authorities once the selections have been made. When the  
7 appointment of all members is complete, the Chair of the  
8 Legislative Council shall call and convene the first meeting of  
9 the commission no later than June 15, 1994. At the first  
10 meeting, the commission shall select a chair from among its  
11 members; and be it further

12           **Sec. 4. Procedure. Resolved:** That in conducting the study,  
13 the commission may:

14           1. Seek and receive private and public funding to finance  
15 all or portions of the study;

16           2. Meet at convenient times and locations;

17           3. Hold informational sessions for discussions with  
18 knowledgeable persons;

19           4. Conduct, summarize and analyze the results of a  
20 literature search;

21           5. Conduct, tabulate and analyze the results of a survey of  
22 the public or affected persons and groups;

23           6. Procure and analyze relevant data;

24           7. Conduct legal research and prepare opinions on legal  
25 questions within the scope of the study; and

26           8. Determine and summarize the legislative actions or  
27 governmental programs undertaken in other jurisdictions related  
28 to issues within the scope of the study; and be it further

29           **Sec. 5. Duties. Resolved:** That the commission shall study all  
30 issues related to the future of the paper industry in the State,  
31 which may include the following:

32           1. Determination of the effect of the domestic paper  
33 industry on the State and local economies;

34           2. The expected future trends for the industry;

35           3. The effects of international competition;

36           4. The effects of competition from other states;

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3. The effect of the State's taxation policies;
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5. Workforce levels in the domestic paper industry;
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7. Resource sustainability and the effect of harvesting methods;
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8. Current or potential market niches for paper products;
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9. The adequacy of existing transportation services, including the utility of rail service;
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10. The effects of state environmental regulations on the domestic industry and the effects of changing technology and manufacturing processes on environmental issues;
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11. Possibilities for alternative or ancillary production processes at existing domestic paper mills, such as cogeneration or the manufacture of wood products other than paper;
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12. An examination of the paper industry's investment policy in the State as compared to investment in facilities located elsewhere;
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13. An evaluation of the continued viability of the domestic paper industry and effects that current state policies have on the evaluation, along with any recommendations for alternative policies that may encourage the continued viability of the domestic paper industry; and
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14. Any other issues that the commission believes are relevant.
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34 In conducting the study, the commission shall perform an in-depth study and analysis of 2 domestic paper mills that have experienced recent workforce or production declines as case examples of the domestic paper industry; and be it further

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**Sec. 6. Confidential information. Resolved:** That for the purposes of the Maine Revised Statutes, Title 1, chapter 13, the commission, by majority vote, may designate as a confidential record any material that is of a proprietary nature, disclosure of which could adversely affect the interests of the party that supplied the information; and be it further

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**Sec. 7. Assistance. Resolved:** That the commission may request staff assistance from the Legislative Council. Upon request, all agencies of State Government shall cooperate fully with the commission in providing assistance or data to facilitate the commission's work; and be it further

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2           **Sec. 8. Reimbursement. Resolved:** That the members of the  
3 commission who are Legislators are entitled to receive the  
4 legislative per diem as defined in the Maine Revised Statutes,  
5 Title 3, section 2, for each day's attendance at commission  
6 meetings. Members of the commission who are not state employees  
7 are entitled to reimbursement for expenses as defined in Title 5,  
8 section 12002, upon application to the Executive Director of the  
9 Legislative Council; and be it further

10           **Sec. 9. Report. Resolved:** That the commission shall submit  
11 its report, together with any necessary implementing legislation,  
12 to the First Regular Session of the 117th Legislature and to the  
13 joint standing committee of the Legislature having jurisdiction  
14 over housing and economic development matters no later than  
15 January 15, 1995; and be it further

16           **Sec. 10. Appropriation. Resolved:** That the following funds are  
17 appropriated from the General Fund to carry out the purposes of  
18 this resolve.  
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22 **1994-95**

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24 **LEGISLATURE**

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26 **Commission on the Future of Maine's  
27 Paper Industry**

28           All Other \$3,300

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30           Provides funds to the Commission on the  
31 Future of Maine's Paper Industry for the  
32 expenses of commission members and  
33 miscellaneous commission expenses.  
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36           **Emergency clause.** In view of the emergency cited in the  
37 preamble, this resolve takes effect when approved.  
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40 **FISCAL NOTE**

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42 **1994-95**

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44 **APPROPRIATIONS/ALLOCATIONS**

45           General Fund \$3,300

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49           This resolve includes a General Fund appropriation of \$3,300  
50 in fiscal year 1994-95 for the Legislature for the Commission on

2 the Future of Maine's Paper Industry for the expenses of members  
and miscellaneous commission expenses. The additional costs to  
4 provide staffing assistance to the commission can be absorbed by  
the Legislature utilizing existing budgeted resources.

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### STATEMENT OF FACT

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This resolve establishes the Commission on the Future of  
Maine's Paper Industry.

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This document has not yet been reviewed to determine the  
need for cross-reference, stylistic and other technical  
20 amendments to conform existing law to current drafting standards.