

# MAINE STATE LEGISLATURE

The following document is provided by the  
**LAW AND LEGISLATIVE DIGITAL LIBRARY**  
at the Maine State Law and Legislative Reference Library  
<http://legislature.maine.gov/lawlib>



Reproduced from scanned originals with text recognition applied  
(searchable text may contain some errors and/or omissions)

M  
R. of S.

L.D. 2461

DATE: 4/27/00

(Filing No. S-790)

Reproduced and distributed under the direction of the Secretary of the Senate.

STATE OF MAINE  
SENATE  
119TH LEGISLATURE  
SECOND REGULAR SESSION

SENATE AMENDMENT "D" to COMMITTEE AMENDMENT "A" to H.P. 1755, L.D. 2461, "Resolve, to Create a Commission to Study and Establish Moral Policies on Investments and Purchasing by the State"

Amend the amendment by striking out the substitute title and replacing it with the following:

**'Resolve, to Create a Commission to Study and Establish Moral Policies Regarding Foreign Investments and Foreign Purchasing by the State'**

Further amend the amendment by striking out everything after the substitute title and before the summary and inserting in its place the following:

'Further amend the resolve by striking out everything after the title and before the summary and inserting in its place the following:

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

**Whereas, Maine is a state that upholds the dignity of every human being, promotes basic human rights and supports social and economic justice; and**

**Whereas, Maine is a state that believes employers should fairly compensate hard work, that the health and safety of working people should be protected and that all forms of unlawful discrimination and abuse should not be tolerated; and**

**Whereas, there are manufacturers in foreign countries that do not share Maine's support of human rights and justice and**

**SENATE AMENDMENT**

2 those manufacturers' employment practices are characterized by  
poverty wages, forced overtime, child labor, unsafe and unhealthy  
workplace conditions and often abusive working conditions; and

4  
6 **Whereas,** established international standards for ethical  
manufacturing are routinely violated; and

8 **Whereas,** sweatshops have been and continue to be a direct  
cause of job loss and depressed wages for citizens of Maine,  
10 whose employers relocate for cheap labor or threaten plant  
closings to force lower wages and contract concessions; and

12  
14 **Whereas,** Maine can make a significant contribution to the  
campaigns against sweatshop manufacturing by supporting the  
enforcement of established ethical codes of corporate conduct; and

16  
18 **Whereas,** there exists widespread popular support in Maine  
for the principle that purchases and investments by the State  
ought to be made under ethical conditions of production; and

20  
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  
24 necessary for the preservation of the public peace, health and  
safety; now, therefore, be it

26  
28 **Sec. 1. Commission to Study Economically and Socially Just Policies  
for Foreign Investments and Foreign Purchasing by the State established.**

30 **Resolved:** That the Commission to Study Economically and Socially  
Just Policies for Foreign Investments and Foreign Purchasing by  
the State, referred to in this resolve as the "commission," is  
32 established; and be it further

34 **Sec. 2. Commission membership; appointments. Resolved:** That  
the commission consists of 12 members as follows:

36  
38 1. Two members from the Senate appointed by the President  
of the Senate, one of whom is a member of a political party that  
does not hold a majority of seats in that body;

40  
42 2. Two members from the House of Representatives appointed  
by the Speaker of the House of Representatives, one of whom is a  
member of a political party that does not hold a majority of  
44 seats in that body;

46 3. Two members from groups involved in social investments  
or human rights issues, one appointed by the President and one  
48 appointed by the Speaker;

R. of S.  
SENATE AMENDMENT "D" to COMMITTEE AMENDMENT "A" to H.P. 1755,  
L.D. 2461

2 4. Two representatives of retail business, one appointed by  
the President and one appointed by the Speaker;

4 5. One representative of the Department of Administrative  
and Financial Services, Bureau of General Services, Division of  
6 Purchases appointed by the Governor;

8 6. One member of the public appointed by the Governor;

10 7. One representative of labor unions appointed by the  
Governor; and

12 8. One representative of manufacturing and industry  
14 appointed by the Governor.

16 All appointments must be completed no later than 30 days  
after the effective date of this resolve; and be it further

18  
20 **Sec. 3. First meeting; chairs. Resolved:** That the first named  
Senate member is the Senate chair and the first named House  
member is the House chair of the commission. When the  
22 appointment of all members of the commission is completed, the  
commission chairs shall call and convene the first meeting of the  
24 commission no later than June 30, 2000; and be it further

26 **Sec. 4. Duties. Resolved:** That the commission shall study the  
subject of economically and socially just policies for foreign  
28 investment and foreign purchasing by the State. In examining the  
issue of economically and socially just policies for foreign  
30 investments and foreign purchasing, the commission shall evaluate  
the policies of other states. In its report, the commission  
32 shall propose standards concerning foreign companies that do  
business with the State and foreign companies invested in by the  
34 State. The commission shall consider such factors as child labor  
and exploitation of workers under unhealthy conditions. The  
36 commission shall make recommendations with regard to whether the  
State should do business with and invest in foreign companies  
38 that oppress or mistreat their workers. The commission shall  
identify the possible positive and negative impacts of proposed  
40 policies on Maine workers, Maine small businesses and Maine  
taxpayers; and be it further

42  
44 **Sec. 5. Staff assistance. Resolved:** That, upon approval of the  
Legislative Council, the Office of Policy and Legal Analysis  
shall provide necessary staffing services to the commission; and  
46 be it further

48 **Sec. 6. Compensation. Resolved:** That the members of the  
commission who are Legislators are entitled to the legislative  
50 per diem, as defined in the Maine Revised Statutes, Title 3,

R. of S.

SENATE AMENDMENT "D" to COMMITTEE AMENDMENT "A" to H.P. 1755,  
L.D. 2461

2 section 2, and reimbursement for necessary expenses incurred for  
their attendance at authorized meetings of the commission. Other  
4 members of the commission who are not otherwise compensated by  
their employers or other entities that they represent are  
6 entitled to receive reimbursement of necessary expenses incurred  
for their attendance at authorized meetings of the commission;  
and be it further

8  
**Sec. 7. Report. Resolved:** That the commission shall submit  
10 its report, together with any necessary implementing legislation,  
to the First Regular Session of the 120th Legislature no later  
12 than November 1, 2000. If the commission requires a limited  
extension of time to conclude its work, it may apply to the  
14 Legislative Council, which may grant the extension; and be it  
further

16  
**Sec. 8. Budget. Resolved:** That the chair of the commission,  
18 with assistance from the commission staff, shall administer the  
commission's budget. Within 10 days after its first meeting, the  
20 commission shall present a work plan and proposed budget to the  
Legislative Council for approval. The commission may not incur  
22 expenses that would result in the commission exceeding its  
approved budget. Upon request from the commission, the Executive  
24 Director of the Legislative Council shall promptly provide the  
commission chair and staff with a status report on the  
26 commission's budget, expenditures incurred and paid and available  
funds; and be it further

28  
**Sec. 9. Appropriation. Resolved:** That the following funds are  
30 appropriated from the General Fund to carry out the purposes of  
this resolve.

32  
**2000-01**

34  
**LEGISLATURE**

36  
**Commission to Study Economically and**  
38 **Socially Just Policies for Foreign**  
**Investments and Foreign Purchasing by**  
40 **the State**

42	Personal Services	\$1,320
	All Other	3,500

44  
Provides funds for the per  
46 diem and expenses of  
legislative members and  
48 expenses for other eligible  
members of the Commission to  
50 Study Economically and

**SENATE AMENDMENT**

R. of S.

SENATE AMENDMENT "D" to COMMITTEE AMENDMENT "A" to H.P. 1755,  
L.D. 2461

2           Socially Just Policies for  
            Foreign Investments and  
4           Foreign Purchasing by the  
            State and to print the  
            required report.

6

**LEGISLATURE**  
**TOTAL**

\_\_\_\_\_  
\$4,820

8

10           **Emergency clause.** In view of the emergency cited in the  
            preamble, this resolve takes effect when approved.' '

12

14

**SUMMARY**

16

            This amendment adds an emergency preamble and emergency  
            clause to the resolve and changes the name of the commission to  
18           the Commission to Study Economically and Socially Just Policies  
            for Foreign Investments and Foreign Purchasing by the State. The  
20           amendment also makes minor changes to the appointment process.

22

24

SPONSORED BY: Michael H. Michaud  
                  (Senator MICHAUD)

26

COUNTY: Penobscot

28

**SENATE AMENDMENT**