

# 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)

MS

L.D. 2535

2  
4  
6  
8  
10  
12  
14  
16  
18  
20  
22  
24  
26  
28  
30  
32  
34  
36  
38  
40  
42  
44

DATE: 4/27/00

(Filing No. S-775)

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

STATE OF MAINE  
SENATE  
119TH LEGISLATURE  
SECOND REGULAR SESSION

SENATE AMENDMENT "A" to COMMITTEE AMENDMENT "A" to H.P. 1809, L.D. 2535, Bill, "An Act to Broaden Business Ownership in Maine"

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 bill 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,** a comprehensive study of the current patterns of in-state, out-of-state and international ownership of Maine businesses is needed; and

**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

**Sec. 1. Commission established. Resolved:** That the Commission to Study Ownership Patterns in Maine, referred to in this resolve as the "commission," is established; and be it further

**SENATE AMENDMENT**

2           **Sec. 2. Commission membership. Resolved:** That the commission  
3 consists of the following 13 members, all of whom must have a  
4 knowledge of and experience with Maine business and labor issues  
5 and the structure of the Maine economy:

6           1. The Chief Executive Officer of the Finance Authority of  
7 Maine or the chief executive officer's designee;

8           2. The Commissioner of Labor or the commissioner's designee;

10           3. The Commissioner of Economic and Community Development  
11 or the commissioner's designee;

12           4. Five members appointed by the President of the Senate as  
13 follows:

14           A. Two Senators, not from the same political party;

16           B. One representative from a large business in Maine or a  
17 statewide organization representing businesses in Maine;

18           C. One representative from organized labor; and

19           D. One representative from a bank in Maine; and

20           5. Five members appointed by the Speaker of the House of  
21 Representatives as follows:

22           A. Two members of the House of Representatives, not from  
23 the same political party;

24           B. One representative from a community development  
25 organization;

26           C. One representative from a Maine economic policy  
27 organization; and

28           D. One representative from a small business in Maine or a  
29 statewide organization representing businesses in Maine; and  
30 be it further

31           **Sec. 3. Appointments; chairs; meeting. Resolved:** That all  
32 appointments must be made no later than 30 days following the  
33 effective date of this resolve. The appointing authorities shall  
34 notify the Executive Director of the Legislative Council once all  
35 appointments have been made. The first named Senate member is  
36 the Senate chair and the first named House of Representatives  
37 member is the House chair. The first meeting must be called by  
38 the chairs no later than 30 days after all the appointments have  
39 been made; and be it further  
40

2           **Sec. 4. Duties. Resolved:** That the commission shall  
investigate the current patterns of in-state, out-of-state and  
4 international ownership of Maine businesses. In conducting its  
study, the commission shall specifically:

6  
8           1. Review the characteristics of businesses owned by  
in-state, out-of-state and international concerns, including the  
number and quality of jobs provided and the annual sales figures;

10  
12           2. Study the impacts of changes of ownership on the state  
and local economies and on civic and environmental accountability;

14           3. Analyze the patterns of small Maine-owned growth  
companies and their need for large infusions of capital as they  
16 grow, and assess how many of those companies are bought out and  
whether they continue to operate in the State;

18  
20           4. Examine options for broadening ownership through  
employee, consumer and community forms of ownership in firms  
operating in the State;

22  
24           5. Study the feasibility of establishing an employee  
ownership feasibility program and fund to provide grants to  
employees of businesses in the State to be used for purposes of  
26 analyzing the potential for employee ownership;

28           6. Make recommendations on the eligibility criteria for an  
employee ownership feasibility program; and

30  
32           7. Study and make recommendations for an education and  
outreach program for Maine businesses on employee ownership  
options; and be it further

34  
36           **Sec. 5. Staff assistance. Resolved:** That the State Planning  
Office in the Executive Department shall provide necessary  
staffing services to the commission; and be it further

38  
40           **Sec. 6. Compensation. Resolved:** That the members of the  
commission who are Legislators are entitled to receive the  
legislative per diem as defined in the Maine Revised Statutes,  
42 Title 3, section 2 and reimbursement for travel and other  
necessary expenses for attendance at meetings of the commission.  
Public members not otherwise compensated by their employers or  
44 other entities that they represent are entitled to receive  
reimbursement of necessary expenses for their attendance at  
46 authorized meetings of the commission; and be it further

48  
50           **Sec. 7. Report. Resolved:** That the commission shall submit a  
final report along with any recommended legislation to

the First Regular Session of the 120th Legislature. The final report must be submitted no later than November 15, 2000. If the commission requires an extension of time to make its report, it may apply to the Legislative Council, which may grant the extension; and be it further

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

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

2000-01

LEGISLATURE

Commission to Study Ownership  
Patterns in Maine

Personal Services	\$880
All Other	2,500

Provides funds for the per diem and expenses of legislative members and expenses of other eligible members of the Commission to Study Ownership Patterns in Maine and to print the required report.

LEGISLATURE  
TOTAL

\$3,380

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

RMS

SENATE AMENDMENT "A" to COMMITTEE AMENDMENT "A" to H.P. 1809,  
L.D. 2535

**SUMMARY**

2  
4  
6  
8  
10  
12  
14

This amendment changes the date by which the first meeting must be called and adds an emergency preamble and an emergency clause.

SPONSORED BY: *Michael H. Michaud*  
(Senator MICHAUD) *JMB*

COUNTY: Penobscot