

MAINE STATE LEGISLATURE

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120th MAINE LEGISLATURE

FIRST REGULAR SESSION-2001

Legislative Document

No. 986

H.P. 767

House of Representatives, February 20, 2001

**Resolve, to Establish the Commission to Study Ownership Patterns in
Maine.**

(EMERGENCY)

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

Millicent M. MacFarland

MILLICENT M. MacFARLAND, Clerk

Presented by Representative GREEN of Monmouth.
Cosponsored by Senator BROMLEY of Cumberland and
Representatives: DUDLEY of Portland, MAILHOT of Lewiston, O'NEIL of Saco,
RICHARDSON of Brunswick, SIMPSON of Auburn, Senators: GAGNON of Kennebec,
TREAT of Kennebec.

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

4
6 **Whereas,** the commission established by this resolve is
required to submit its final report no later than November 15,
2001; and

8
10 **Whereas,** in order to prepare its report, the commission must
be appointed and begin its work as soon as possible; and

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

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

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

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

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

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

34 4. Five members appointed by the President of the Senate as
36 follows:

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

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

42 C. One representative from organized labor; and

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

46 5. Five members appointed by the Speaker of the House of
48 Representatives as follows:

- 2 A. Two members of the House of Representatives, not from
the same political party;
- 4 B. One representative from a community development
organization;
- 6 C. One representative from a Maine economic policy
8 organization; and
- 10 D. One representative from a small business in Maine or a
12 statewide organization representing businesses in Maine; and
be it further

14 **Sec. 3. Appointments; chairs; meeting. Resolved:** That all
16 appointments must be made no later than 30 days following the
effective date of this resolve. The appointing authorities shall
18 notify the Executive Director of the Legislative Council once all
appointments have been made. The first named Senate member is
20 the Senate chair and the first named House of Representatives
member is the House chair. The first meeting must be called by
22 the chairs no later than 14 days after all the appointments have
been made; and be it further

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

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

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

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

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

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

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

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

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

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

22 **Sec. 7. Report. Resolved:** That the commission shall submit a
24 final report along with any recommended legislation to the Second
Regular Session of the 120th Legislature. The final report must
26 be submitted no later than November 15, 2001. If the commission
requires an extension of time to make its report, it may apply to
28 the Legislative Council, which may grant the extension; and be it
further

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

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

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SUMMARY

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4 This resolve establishes the Commission to Study Ownership
Patterns in Maine.

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8 A similar commission had been established in the Second
Regular Session of the 119th Legislature, but that commission had
been unable to commence its tasks due to time constraints.