

MAINE STATE LEGISLATURE

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L.D. 2008

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STATE OF MAINE
HOUSE OF REPRESENTATIVES
120TH LEGISLATURE
SECOND REGULAR SESSION

HOUSE AMENDMENT "A" to COMMITTEE AMENDMENT "A" to H.P. 1505, L.D. 2008, Bill, "An Act to Create the Office of the Maine-Canada Envoy"

Amend the amendment by inserting after the title the following:

'Amend the bill by striking out the title and substituting the following:

'An Act to Create the Office of Maine-Canada Trade Ombudsman''

Further amend the amendment by inserting after the title the following:

'Further amend the bill by striking out all of section 1 and inserting in its place the following:

'Sec. 1. 5 MRSA c. 12-A is enacted to read:

CHAPTER 12-A

MAINE-CANADA TRADE OMBUDSMAN

§261. Office created

The Office of the Maine-Canada Trade Ombudsman is established within the Executive Department and is autonomous from any other state agency.

§262. Appointment; term; compensation

The Governor shall appoint an ombudsman to head the Office of the Maine-Canada Trade Ombudsman, who is referred to in this

2 chapter as the "ombudsman," subject to review by the joint
3 standing committee of the Legislature having jurisdiction over
4 state and local government matters and confirmation by the
5 Senate. The ombudsman must be chosen without reference to party
6 affiliation and solely on the ground of professional competence
7 to perform the duties of that office. The ombudsman appointed in
8 2003 holds office until January 1, 2005. Thereafter, the
9 ombudsman holds office for a term of 4 years. An ombudsman may
10 be reappointed. The compensation of the ombudsman is fixed by
11 the Governor.

12 §263. Duties

14 The ombudsman has, upon consent of the Governor, the duties
15 and powers established under the following provisions governing
16 trade between businesses in this State and individuals,
17 businesses and governmental entities in Canada.

18 1. Administration. The ombudsman shall administer the
19 Office of the Maine-Canada Trade Ombudsman. In exercising the
20 administration of the office, the ombudsman shall formulate
21 policies, establish organizational and operational procedures and
22 exercise general supervision. The ombudsman shall employ, with
23 the approval of the Governor and subject to the Civil Service
24 Law, those assistants as are necessary to carry out this chapter.
25 The ombudsman shall adopt a seal for use in the official business
26 of the office. The ombudsman has custody and control of the
27 facilities provided for the administration of this chapter.

30 2. Advice. The ombudsman shall advise the Governor, the
31 Legislature and the directors of other appropriate state
32 departments or agencies on appropriate steps needed to coordinate
33 state policy and state actions on commerce and other relations
34 with individuals, businesses and governmental entities in Canada.

36 3. Representation. The ombudsman shall represent the State
37 at the national level for trade matters between the United States
38 and Canada that involve the State.

40 4. Investigation; resolution of complaints; negotiation.
41 The ombudsman shall answer inquires from citizens and businesses
42 in this State and investigate, advise and work toward resolution
43 of complaints that arise concerning trade issues. The ombudsman
44 may negotiate on behalf of businesses in this State, with their
45 consent, with individuals, businesses and governmental entities
46 of Canada to secure fair trade treatment of products and services
47 of this State.

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2 5. Biennial report. The ombudsman shall report biennially
3 to the Governor and Legislature facts and recommendations related
4 to the work and needs of the Office of the Maine-Canada Trade
5 Ombudsman.

6 6. Rules. The ombudsman may adopt rules necessary to carry
7 out the purposes of this chapter. Rules adopted pursuant to this
8 subsection are routine technical rules as defined in chapter 375,
9 subchapter II-A. ' '

10 Further amend the amendment in the first paragraph after the
11 title in the first line (page 1, line 22 in amendment) by
12 striking out the following: "Amend" and inserting in its place
13 the following: 'Further amend'

14 Further amend the amendment in section 2 in the 6th line
15 (page 1, line 32 in amendment) by striking out the following:
16 "Envoy" and inserting in its place the following: 'Trade
17 Ombudsman'

22 SUMMARY

23 This amendment revises the committee amendment to convert
24 the proposed "Maine-Canada Envoy" into the "Maine-Canada Trade
25 Ombudsman." The Governor shall appoint the Maine-Canada Trade
26 Ombudsman, and the appointment is subject to review by the joint
27 standing committee of the Legislature having jurisdiction over
28 state and local government matters and confirmation by the Senate.

29 This amendment provides that the ombudsman has the same
30 basic responsibilities and powers as proposed in the bill with
31 regard to administering the office, providing advice to the
32 Governor and state agencies with regard to commerce and other
33 relations with individuals, businesses and governmental entities
34 in Canada and representing the State at the national level for
35 trade matters between the United States and Canada that involve
36 Maine.

37 This amendment deletes reference to research and assistance
38 to develop and increase trade relations with Canada, producing
39 publications and coordinating trade-related activities, as those
40 functions are already provided by other agencies within the State.

41 The central function of the Maine-Canada Trade Ombudsman is
42 to answer inquiries from Maine citizens and businesses and
43 investigate, advise and work toward resolution of complaints that
44 arise concerning trade issues. The ombudsman is given the
45 authority to negotiate on behalf of businesses, with their

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2 consent, with individuals, businesses and governmental entities
of Canada to secure fair trade treatment for Maine products and
services.

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SPONSORED BY: Roger L Sherman
8 (Representative SHERMAN)

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TOWN: Hodgdon

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