

MAINE STATE LEGISLATURE

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L.D. 1815

DATE: 3-19-04

(Filing No. H-784)

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STATE OF MAINE
HOUSE OF REPRESENTATIVES
121ST LEGISLATURE
SECOND SPECIAL SESSION

18

COMMITTEE AMENDMENT "B" to H.P. 1337, L.D. 1815, Bill, "An Act To Establish the Maine Jobs, Trade and Democracy Act"

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Amend the bill by striking out all of sections 2 and 3 and inserting in their place the following:

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Sec. 2. 10 MRSA c. 1-A is enacted to read:

26

CHAPTER 1-A

28

INTERNATIONAL TRADE AND THE ECONOMY

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§11. Maine Jobs, Trade and Democracy Act

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1. Short title. This section may be known and cited as "the Maine Jobs, Trade and Democracy Act."

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2. Definitions. As used in this section, unless the context otherwise indicates, the following terms have the following meanings.

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A. "Commission" means the Citizen Trade Policy Commission established in Title 5, section 12004-I, subsection 79-A.

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B. "Trade agreement" means any agreement reached between the United States Government and any other country, countries or other international political entity or

COMMITTEE AMENDMENT

2 entities that proposes to regulate trade among the parties
3 to the agreement. "Trade agreement" includes, but is not
4 limited to, the North American Free Trade Agreement,
5 agreements with the World Trade Organization and the
6 proposed Free Trade Area of the Americas.

7 3. Purposes. The commission is established to assess and
8 monitor the legal and economic impacts of trade agreements on
9 state and local laws, working conditions and the business
10 environment; to provide a mechanism for citizens and Legislators
11 to voice their concerns and recommendations; and to make policy
12 recommendations designed to protect Maine's jobs, business
13 environment and laws from any negative impact of trade agreements.

14 4. Membership. The commission consists of the following 11
15 members:

16 A. Two Senators representing each of the 2 political
17 parties with the greatest numerical representation in the
18 Senate, appointed by the President of the Senate;

19 B. Two members of the House of Representatives representing
20 each of the 2 political parties with the greatest numerical
21 representation in the House, appointed by the Speaker of the
22 House;

23 C. The Attorney General or the Attorney General's designee;

24 D. A small business person selected by the National
25 Federation of Independent Business;

26 E. A small farmer selected by the Maine Farm Bureau;

27 F. A representative of a Maine-based corporation with at
28 least 25 employees that is active in international trade,
29 selected by the Maine State Chamber of Commerce;

30 G. A representative of the Maine Municipal Association,
31 selected by the Maine Municipal Association;

32 H. A person who is active in the organized labor community,
33 selected by the AFL-CIO; and

34 I. A member of a nonprofit environmental organization,
35 selected by the Natural Resources Council of Maine.

36 The appointing authorities shall notify the Executive Director of
37 the Legislative Council upon making their appointments. The
38 first-named Senator and first-named House of Representatives
39 member shall call the first meeting and serve as cochairs until a
40 chair is elected pursuant to section 6.

2 5. Terms; vacancies; limits. Except for Legislators and
4 the Attorney General, who serve terms coincident with their
6 elective terms, all members are appointed for 3-year terms. A
8 vacancy must be filled by the same appointing authority that made
10 the original appointment. Appointed members may not serve more
12 than 2 terms. Members may continue to serve until their
14 replacements are designated. A member may designate an alternate
16 to serve on a temporary basis.

18 6. Chair; officers; rules. The commission shall appoint
20 its own chair and other officers and make rules for orderly
22 procedure.

24 7. Compensation. Members of the commission who are
26 Legislators are entitled to receive the legislative per diem and
28 expenses as defined in Title 3, section 2 for their attendance to
30 their duties under this chapter. Other members are entitled to
32 receive reimbursement of necessary expenses if they are not
34 otherwise reimbursed by their employers or others whom they
36 represent. After one year, the commission shall assess the need
38 for and qualifications of a staff person, for example, an
40 executive director. If the commission determines that it
42 requires such a person, it may request additional funds from the
44 Legislature.

46 8. Staff. The Office of Policy and Legal Analysis shall
48 provide the necessary staff support for the operation of the
50 commission.

9. Powers and duties. The commission:

A. Shall meet at least twice annually;

B. Shall hear public testimony and recommendations from the
 people of the State and qualified experts when appropriate
 at no fewer than 2 locations throughout the State each year
 on the actual and potential social, environmental, economic
 and legal impacts of international trade agreements and
 negotiations on the State;

C. Shall conduct an annual assessment of the impacts of
 international trade agreements on Maine's state laws,
 municipal laws, working conditions and business environment;

D. Shall maintain active communications with and submit an
 annual report to the Governor, the Legislature, the Attorney
 General, municipalities, Maine's congressional delegation,
 the Maine International Trade Center, the Maine Municipal
 Association, the United States Trade Representative's

2 Office, the National Conference of State Legislatures and
3 the National Association of Attorneys General or the
4 successor organization of any of these groups. The
5 commission shall make the report easily accessible to the
6 public by way of a publicly accessible site on the Internet
7 maintained by the State. The report must contain
8 information acquired pursuant to activities under paragraphs
9 B and C;

10 E. Shall maintain active communications with any entity the
11 commission determines appropriate regarding ongoing
12 developments in international trade agreements and policy;

13 F. May recommend or submit legislation to the Legislature;

14 G. May recommend that the State support, or withhold its
15 support from, future trade negotiations or agreements; and

16 H. May examine any aspects of international trade,
17 international economic integration and trade agreements that
18 the members of the commission consider appropriate.

19 10. Evaluation. By December 31, 2009, the commission shall
20 conduct an evaluation of its activities and recommend to the
21 Legislature whether to continue, alter or cease the commission's
22 activities.

23 **Sec. 3. Staggered terms.** Notwithstanding the Maine Revised
24 Statutes, Title 10, section 11, subsection 5, the terms of the
25 original appointees described in Title 10, section 11, subsection
26 4, paragraphs D and G serve initial terms of one year, and the
27 appointees described in Title 10, section 11, subsection 4,
28 paragraphs E and H serve initial terms of 2 years. An initial
29 term of one or 2 years may not be considered a full term for
30 purposes of limiting the number of terms for which a member may
31 serve.

32 **Sec. 4. Appropriations and allocations.** The following
33 appropriations and allocations are made.

34 **LEGISLATURE**

35 **Legislature**

36 Initiative: Provides funds for the per diem and expenses of
37 members of the Citizen Trade Policy Commission as well as public
38 hearing and general operation expenses.

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General Fund	2003-04	2004-05
Personal Services	\$0	\$880
All Other	0	9,850

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COMMITTEE AMENDMENT "B" to H.P. 1337, L.D. 1815

2	General Fund Total	<u>\$0</u>	<u>\$10,730'</u>
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SUMMARY

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This amendment changes the membership of the Citizen Trade Policy Commission. It reduces the number of Legislators from 6 to 4 and reduces the number of other members from 11 to 7. It allows members to appoint alternate members to serve on a temporary basis.

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The amendment reduces the number of required public hearings to 2 each year instead of 5 in the first year and 3 in subsequent years. It also changes compensation so that Legislators receive per diem and expenses for attendance at meetings, and other members receive reimbursement of expenses if they are not otherwise reimbursed for those costs.

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The amendment also adds an appropriations and allocations section.

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**FISCAL NOTE REQUIRED
(See attached)**



**121st Maine Legislature
Office of Fiscal and Program Review**

LD 1815

An Act To Establish the Maine Jobs, Trade and Democracy Act

LR 2551(03)

Fiscal Note for Bill as Amended by Committee Amendment " "

Committee: Labor

Fiscal Note Required: Yes

Fiscal Note

	2003-04	2004-05	Projections 2005-06	Projections 2006-07
Net Cost (Savings)				
General Fund	\$0	\$10,730	\$10,730	\$10,730
Appropriations/Allocations				
General Fund	\$0	\$10,730	\$10,730	\$10,730

Fiscal Detail and Notes

Establishing an ongoing Citizen Trade Policy Commission requires a General Fund appropriation to the Legislature in the amount of \$10,730 in fiscal year 2004-05 and annually thereafter. This appropriation will provide funds for per diem and expenses for members of the commission as well as public hearing and general operating expenses.