

# MAINE STATE LEGISLATURE

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# 122nd MAINE LEGISLATURE

## FIRST REGULAR SESSION-2005

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Legislative Document

No. 1135

H.P. 778

House of Representatives, March 8, 2005

### An Act To Safeguard Federalism in Trade

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

*Millicent M. MacFarland*  
MILLICENT M. MacFARLAND  
Clerk

Presented by Representative HUTTON of Bowdoinham.  
Cosponsored by Senator STRIMLING of Cumberland and  
Representatives: CLARK of Millinocket, JACKSON of Fort Kent, PINEAU of Jay, SMITH of  
Van Buren, WATSON of Bath.

2 **Be it enacted by the People of the State of Maine as follows:**

4 **Sec. 1. 10 MRSA §12** is enacted to read:

6 **§12. Safeguarding federalism in trade**

8 **1. Legislative points of contact for trade agreement**  
10 **issues.** Two legislative points of contact must be appointed at  
12 the beginning of each legislative session, one by the leader of  
14 the political party holding the largest number of seats in the  
16 Senate and the leader of the political party holding the 2nd  
largest number of seats in the Senate and one by the leader of  
the political party holding the largest number of seats in the  
House of Representatives and the leader of the political party  
holding the 2nd largest number of seats in the House of  
Representatives. The duties of the legislative points of contact  
include:

18 A. Serving as the State's official liaisons with the  
20 Federal Government and the Legislature's liaisons with the  
22 Governor on trade-related matters;

24 B. Serving as the designated recipients of federal requests  
26 for consent or consultation regarding investment,  
28 procurement, services or other provisions of international  
trade agreements that impinge on State law or regulatory  
authority reserved to the State;

30 C. Transmitting information regarding federal requests for  
32 consent to the Office of the Governor, the Attorney General  
and all appropriate legislative committees;

34 D. Informing all members of the Legislature on a regular  
36 basis about ongoing trade negotiations and dispute  
settlements proceedings with implications for the State more  
generally;

38 E. Communicating the interests and concerns of the  
40 Legislature to the United States Trade Representative  
regarding ongoing and proposed trade negotiations; and

42 F. Notifying the United States Trade Representative of the  
44 outcome of any Legislative action.

46 **2. Consent.** Consent of the State to sign on to any  
48 provision of a trade agreement may only occur through an act of  
the Legislature authorizing the State to sign on to specifically  
listed provisions of an agreement.

**Sec. 2. Notice to United States Trade Representative.** The Attorney  
2 General shall notify the United States Trade Representative of  
the policies set forth in the Maine Revised Statutes, Title 10,  
4 section 12 in writing no later than December 7, 2005 and provide  
copies of the notice required in this section to the President of  
6 the Senate, Speaker of the House of Representatives, the Governor  
and the State's congressional delegation.

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### SUMMARY

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This bill creates the requirement for legislative points of  
contact for federal trade agreements to be appointed at the  
14 beginning of each legislative session, requires legislative  
approval before the State signs on to any trade agreement and  
16 requires the Attorney General to notify the United States Trade  
Representative of the provisions of this bill along with the  
18 leadership of the Legislature and the State's congressional  
delegation.

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