

# MAINE STATE LEGISLATURE

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# 122nd MAINE LEGISLATURE

## FIRST REGULAR SESSION-2005

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Legislative Document

No. 1299

H.P. 896

House of Representatives, March 15, 2005

**Resolve, To Establish the Commission to Study the Efficiency of  
State Business Assistance Services**

(EMERGENCY)

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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 MOODY of Manchester.  
Cosponsored by Senator COWGER of Kennebec and  
Representatives: DAVIS of Falmouth, FISCHER of Presque Isle, FLOOD of Winthrop,  
LERMAN of Augusta, PERCY of Phippsburg, Speaker RICHARDSON of Brunswick,  
WATSON of Bath.

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,** this resolve establishes the Committee to Study the  
Efficiency of State Business Assistance Services; and

8           **Whereas,** the study must be initiated before the 90-day  
period expires in order that the study may be completed and a  
report submitted in time for submission to the next legislative  
session; and

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

18           **Sec. 1. Commission established. Resolved:** That the Commission  
20 to Study the Efficiency of State Business Assistance Services,  
referred to in this resolve as "the commission," is established;  
22 and be it further

24           **Sec. 2. Commission membership. Resolved:** That the commission  
consists of 8 members appointed as follows:

26           1. Two members of the Senate, appointed by the President of the  
28 Senate;

30           2. Two members of the House of Representatives, appointed  
by the Speaker of the House;

32           3. Two members representing small businesses with 50 or  
34 fewer employees, appointed by the President of the Senate;

36           4. One member representing large businesses with more than  
50 employees, appointed by the Speaker of the House; and

38           5. The Commissioner of Economic and Community Development;  
40 and be it further

42           **Sec. 3. Chairs. Resolved:** That the first-named Senate member  
is the Senate chair of the commission and the first-named House  
44 of Representatives member is the House chair of the commission;  
and be it further

46           **Sec. 4. Appointments; convening of commission. Resolved:** That  
48 all appointments must be made no later than 30 days following the  
effective date of this resolve. The appointing authorities shall

2 notify the Executive Director of the Legislative Council once all  
appointments have been completed. Within 15 days after  
4 appointment of all members, the chairs shall call and convene the  
first meeting of the commission; and be it further

6 **Sec. 5. Duties. Resolved:** That the commission shall:

8 1. Review, jointly with the Department of Economic and  
Community Development, all state-funded business assistance  
10 services; and

12 2. Report its recommendations for the streamlining,  
coordinating and packaging of services to enhance the delivery of  
14 state resources and expertise; and be it further

16 **Sec. 6. Staff assistance. Resolved:** That, upon approval of the  
Legislative Council, the Office of Policy and Legal Analysis  
18 shall provide necessary staffing services to the commission; and  
be it further

20 **Sec. 7. Compensation. Resolved:** That the legislative members  
22 of the commission are entitled to receive the legislative per  
diem, as defined in the Maine Revised Statutes, Title 3, section  
24 2, and reimbursement for travel and other necessary expenses  
related to their attendance at authorized meetings of the  
26 commission. Public members not otherwise compensated by their  
employers or other entities that they represent are entitled to  
28 receive reimbursement of necessary expenses and, upon a  
demonstration of financial hardship, a per diem equal to the  
30 legislative per diem for their attendance at authorized meetings  
of the commission; and be it further

32 **Sec. 8. Report. Resolved:** That, no later than December 7,  
34 2005, the commission shall submit a report that includes its  
findings and recommendations, including suggested legislation,  
36 for presentation to the Joint Standing Committee on Business,  
Research and Economic Development and the Legislative Council.  
38 The commission is not authorized to introduce legislation.  
Following receipt and review of the report, the Joint Standing  
40 Committee on Business, Research and Economic Development may  
report out a bill to the Second Regular Session of the 122nd  
42 Legislature.

44 The report must be included in the Department of Economic  
and Community Development's biennial report to the Governor  
46 pursuant to the Maine Revised Statutes, Title 5, section 13058,  
subsection 5; and be it further

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2           **Sec. 9. Extension. Resolved:** That, if the commission requires  
a limited extension of time to complete its study and make its  
4           report, it may apply to the Legislative Council, which may grant  
an extension; and be it further

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

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

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**SUMMARY**

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This resolve creates the Commission to Study the Efficiency  
of State Business Assistance Services and directs the commission  
to submit a report to the Joint Standing Committee on Business,  
Research and Economic Development.