

MAINE STATE LEGISLATURE

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128th MAINE LEGISLATURE

FIRST REGULAR SESSION-2017

Legislative Document

No. 1194

H.P. 831

House of Representatives, March 28, 2017

**Resolve, Establishing the Commission To Study and Assess Maine's
Regulatory Environment**

Reference to the Committee on Environment and Natural Resources suggested and ordered printed.

A handwritten signature in cursive script that reads "Robert B. Hunt".

ROBERT B. HUNT
Clerk

Presented by Representative PIERCE of Dresden.
Cosponsored by Senator DION of Cumberland and
Representatives: CHACE of Durham, FOLEY of Wells, HANLEY of Pittston, HARLOW of
Portland, KINNEY of Limington, PICKETT of Dixfield, WADSWORTH of Hiram, Senator:
CYRWAY of Kennebec.

1 **Sec. 1. Commission established. Resolved:** That the Commission To Study
2 and Assess Maine's Regulatory Environment, referred to in this resolve as "the
3 commission," is established; and be it further

4 **Sec. 2. Commission membership. Resolved:** That the commission consists of
5 the following 11 members:

6 1. Two members of the Senate, one who is a member of the Joint Standing
7 Committee on Environment and Natural Resources and one who is a member of the Joint
8 Standing Committee on Inland Fisheries and Wildlife, appointed by the President of the
9 Senate;

10 2. Four members of the House of Representatives, one who is a member of the Joint
11 Standing Committee on Environment and Natural Resources, one who is a member of the
12 Joint Standing Committee on Energy, Utilities and Technology, one who is a member of
13 the Joint Standing Committee on Marine Resources and one who is a member of the Joint
14 Standing Committee on Agriculture, Conservation and Forestry, appointed by the
15 Speaker of the House of Representatives;

16 3. One member who is a member of the Governor's staff, appointed by the Governor;

17 4. One member who is a representative of the energy industry, appointed by the
18 President of the Senate;

19 5. One member who is a representative of the forestry industry, appointed by the
20 Speaker of the House of Representatives;

21 6. The Commissioner of Environmental Protection or the commissioner's designee;
22 and

23 7. The Director of the Maine Land Use Planning Commission or the director's
24 designee; and be it further

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

28 **Sec. 4. Appointments; convening of commission. Resolved:** That all
29 appointments must be made no later than 30 days following the effective date of this
30 resolve. The appointing authorities shall notify the Executive Director of the Legislative
31 Council once all appointments have been completed. After appointment of all members,
32 the chairs shall call and convene the first meeting of the commission. If 30 days or more
33 after the effective date of this resolve a majority of but not all appointments have been
34 made, the chairs may request authority and the Legislative Council may grant authority
35 for the commission to meet and conduct its business; and be it further

36 **Sec. 5. Duties. Resolved:** That the commission shall review the regulatory
37 environment in the State. As part of the review, the commission shall:

- 1 1. Quantify approval rates of large-scale development projects permitted by the
2 State's regulatory agencies;
- 3 2. Determine how the State's regulatory approval rate compares to the regulatory
4 approval rate of other states;
- 5 3. Review historical regulatory approval rates from previous Maine administrations;
- 6 4. Identify opportunities for improvement in the regulatory permitting process;
- 7 5. Identify regulatory trouble spots in particular industries or types of projects;
- 8 6. Identify benchmarks for regulatory approval rates to ensure the State is
9 quantifiably business friendly; and
- 10 7. Make recommendations for improvements to the regulatory process, including
11 identifying quantifiable metrics to improve legislative oversight of regulatory agency
12 actions; and be it further

13 **Sec. 6. Staff assistance. Resolved:** That the Legislative Council shall provide
14 necessary staffing services to the commission; and be it further

15 **Sec. 7. Report. Resolved:** That, no later than December 6, 2017, the commission
16 shall submit a report that includes its findings and recommendations, including suggested
17 legislation, to the Joint Standing Committee on Environment and Natural Resources. The
18 Joint Standing Committee on Environment and Natural Resources may submit a bill
19 related to the subject matter of the report to the Second Regular Session of the 128th
20 Legislature.

21 **SUMMARY**

22 This resolve creates the Commission To Study and Assess Maine's Regulatory
23 Environment. The commission is required to submit its report with its recommendations
24 and including suggested legislation to the Joint Standing Committee on Environment and
25 Natural Resources by December 6, 2017.