

# MAINE STATE LEGISLATURE

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STATE OF MAINE  
125<sup>TH</sup> LEGISLATURE  
SECOND REGULAR SESSION



Summaries of bills, adopted amendments and laws enacted or finally passed

**JOINT STANDING COMMITTEE ON LABOR, COMMERCE,  
RESEARCH AND ECONOMIC DEVELOPMENT**

June 2012

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# STATE OF MAINE

125<sup>TH</sup> LEGISLATURE  
SECOND REGULAR SESSION



## LEGISLATIVE DIGEST OF BILL SUMMARIES AND ENACTED LAWS

This *Legislative Digest of Bill Summaries and Enacted Laws* summarizes all LDs and adopted amendments and all laws enacted or finally passed during the Second Regular Session of the 125<sup>th</sup> Maine Legislature.

The *Digest* is arranged alphabetically by committee and within each committee by Legislative Document (LD) number. The committee report(s), prime sponsor and lead co-sponsor(s), if designated, are listed below each LD title. All adopted amendments are summarized and listed by paper number. A subject index is included with each committee. The appendices include a summary of relevant session statistics, an index of all bills by LD number and an index of enacted laws by law type and chapter number.

Final action on each LD is noted to the right of the LD title. The following describes the various final actions.

<i>CARRIED OVER</i> .....	<i>carried over to a subsequent session of the Legislature</i>
<i>CON RES XXX</i> .....	<i>chapter # of constitutional resolution passed by both houses</i>
<i>CONF CMTE UNABLE TO AGREE</i> .....	<i>Committee of Conference unable to agree; legislation died</i>
<i>DIED BETWEEN HOUSES</i> .....	<i>House &amp; Senate disagreed; legislation died</i>
<i>DIED IN CONCURRENCE</i> .....	<i>defeated in each house, but on different motions; legislation died</i>
<i>DIED ON ADJOURNMENT</i> .....	<i>action incomplete when session ended; legislation died</i>
<i>EMERGENCY</i> .....	<i>enacted law takes effect sooner than 90 days after session adjournment</i>
<i>FAILED, EMERGENCY ENACTMENT or FINAL PASSAGE</i> .....	<i>emergency failed to receive required 2/3 vote</i>
<i>FAILED, ENACTMENT or FINAL PASSAGE</i> .....	<i>failed to receive final majority vote</i>
<i>FAILED, MANDATE ENACTMENT</i> .....	<i>legislation proposing local mandate failed required 2/3 vote</i>
<i>HELD BY GOVERNOR</i> .....	<i>Governor has not signed; final disposition to be determined at subsequent session</i>
<i>LEAVE TO WITHDRAW</i> .....	<i>sponsor's request to withdraw legislation granted</i>
<i>NOT PROPERLY BEFORE THE BODY</i> .....	<i>ruled out of order by the presiding officer; legislation died</i>
<i>INDEF PP</i> .....	<i>indefinitely postponed; legislation died</i>
<i>ONTP, ACCEPTED, MAJORITY, MINORITY or REPORT X</i> ...	<i>ought-not-to-pass report accepted; legislation died</i>
<i>P&amp;S XXX</i> .....	<i>chapter # of enacted private &amp; special law</i>
<i>PUBLIC XXX</i> .....	<i>chapter # of enacted public Law</i>
<i>RESOLVE XXX</i> .....	<i>chapter # of finally passed resolve</i>
<i>VETO SUSTAINED</i> .....	<i>Legislature failed to override Governor's veto</i>

The effective date for non-emergency legislation enacted in the Second Regular Session of the 125<sup>th</sup> Legislature is Thursday, August 30, 2012. The effective date for legislation enacted as an emergency measure may be found in the enacted law summary for that legislation.

*Joint Standing Committee on Labor, Commerce, Research and Economic Development*

**LD 1437**

**Resolve, Directing the Maine Economic Growth Council To Develop the  
Maine Prosperity Action Plan of 2012**

**RESOLVE 148**

<u>Sponsor(s)</u>	<u>Committee Report</u>	<u>Amendments Adopted</u>
WOODBURY	OTP-AM	S-447

This bill was carried over from the First Regular Session of the 125th Legislature and is a concept draft pursuant to Joint Rule 208.

This bill proposes to establish a process by which more profound changes in governance and public policy in Maine can be advanced and implemented. It is intended to accomplish the more fundamental system reforms that elude the traditional legislative process. It proposes a review of work produced over the past 5 years and more by numerous study groups that have convened to assess Maine's policy environment, government systems and public sector costs, with the objective of creating a more prosperous Maine economy. The reports that have emerged from these efforts have been widely praised and overlap substantially in their recommendations, yet the pathways from concept to implementation have been often elusive and ineffective. In the mainstream legislative process, it is too easy for the aggregated influence of more narrowly defined interests to impede the advancement of broader societal aims.

Among the more comprehensive studies and reports produced in recent years are the Brookings Institution report, *Charting Maine's Future*; *Time for Change*, the Final Report of the Joint Select Committee on Future Maine Prosperity; *Measures of Growth in Focus 2011* by the Maine Economic Growth Council; the 2-part series on *Making Maine Work* by the Maine Development Foundation and Maine State Chamber of Commerce; and *Reinventing Maine Government* by *Envision Maine*. Other organizations and policy experts that have advanced concepts for large-scale policy reform are associated with the Margaret Chase Smith Policy Center at the University of Maine, the Muskie School of Public Service at the University of Southern Maine, the Maine Heritage Policy Center, the Maine Center for Economic Policy, the Alliance for Maine's Future, *Grow Smart Maine*, the Maine Public Spending Research Group and others.

This bill is not intended as a replication of these past analytic efforts, though it includes a careful review and evaluation of past work. Instead, the emphasis of the bill is on translating past work into specific implementable changes in governance and policy and laying out a process that accomplishes those changes.

The bill proposes the appointment of a high-profile Commission on Reinventing Maine Government. The commission would be composed of established statesmen and stateswomen who have earned broad respect for their leadership, vision and commitment to Maine, who reflect a range of views and experience and who are sufficiently removed from government to have no direct interest in any particular set of changes. Each appointment to the commission should contribute to the group's credibility among Maine citizens and knowledge of how large organizations or governments function.

While the commission will review the many reports produced by past study groups to identify the substantive areas where legislative language might be crafted, the mission and product of the commission is not a new report, or even a compilation of previous reports. The goal of the commission will be to produce practical and specific legislation that would accomplish large-scale reform in governance and government structure and policy. Those recommendations may encompass the organizational structures of government, the diverse programs and responsibilities of government, the revenue sources and spending composition of government and other related areas of public policy. The legislation recommended by the commission would be treated by the Legislature in the same manner as a citizen-initiated referendum. The Legislature could either pass the recommended legislation, as presented, or send the legislation directly to referendum. Because of the magnitude of change envisioned by the bill,

**Joint Standing Committee on Labor, Commerce, Research and Economic Development**

the referendum approach is encouraged as a way to solidify and deepen the public credibility and acceptance of the reforms.

**Committee Amendment "A" (S-447)**

This amendment strikes the bill, which was a concept draft, and replaces it with a resolve directing the Maine Economic Growth Council, if it receives sufficient outside funding, to develop a comprehensive and specific action plan for a sustainable state economy. Under this resolve, the council is directed to:

1. Undertake a thorough review of the proposals and recommendations contained in various reports issued within the past 6 years assessing the State's policy environment, government systems and public sector costs;
2. After reviewing the recommendations and reports, identify those proposals it determines offer the most potential for positively transforming economic conditions in the State and translate those proposals into proposed legislation; and
3. Submit the plan, together with proposed legislation necessary to implement the plan, to the joint standing committee of the Legislature having jurisdiction over labor, commerce, research and economic development matters no later than December 5, 2012. The committee is authorized to report out a bill related to these recommendations to the First Regular Session of the 126th Legislature.

**Enacted Law Summary**

Resolve 2011, chapter 148 directs the Maine Economic Growth Council, if it receives sufficient outside funding, to develop a comprehensive and specific action plan for a sustainable state economy. Under this resolve, the council is directed to:

1. Undertake a thorough review of the proposals and recommendations contained in various reports issued within the past 6 years assessing the State's policy environment, government systems and public sector costs;
2. After reviewing the recommendations and reports, identify those proposals it determines offer the most potential for positively transforming economic conditions in the State and translate those proposals into proposed legislation; and
3. Submit the plan, together with proposed legislation necessary to implement the plan, to the joint standing committee of the Legislature having jurisdiction over labor, commerce, research and economic development matters no later than December 5, 2012. The committee is authorized to report out a bill related to these recommendations to the First Regular Session of the 126th Legislature.

**LD 1451 An Act To Create Transparency and Accountability in Economic Development Subsidies**

**DIED BETWEEN HOUSES**

Sponsor(s)

RUSSELL

Committee Report

REF TAX

Amendments Adopted

This bill was carried over from the First Regular Session of the 125th Legislature.

This bill enacts certain safeguards for state and local government expenditures for economic development and job creation by creating a procedure to collect, analyze and make publicly available information regarding those expenditures. It allows the governmental entity making a subsidy to recapture the subsidy if the recipient