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Resolve, To Establish a Study Commission To Reform Taxes and Spending in Maine

Emergency preamble. Whereas, acts and resolves of the Legislature do not become effective until 90 days after adjournment unless enacted as emergencies; and

Whereas, the Commission To Study the Reform of Taxes and Spending in Maine is established in this resolve; and

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

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

Sec. 1 Commission established. Resolved: That the Commission To Study the Reform of Taxes and Spending in Maine, referred to in this resolve as "the commission," is established; and be it further

Sec. 2 Commission membership. Resolved: That the commission consists of 9 members appointed as follows:

1. Two members of the Senate, appointed by the President of the Senate;
2. Two members of the Senate, appointed by the Senate Minority Leader;
3. One member of the House of Representatives, appointed by the Speaker of the House;
4. One member of the House of Representatives, appointed by the House Minority Leader; and
5. Three members of the public having expertise in taxation and budgeting, appointed by the Governor; and be it further

Sec. 3 Chairs. Resolved: That the first Senate member named by the President of the Senate is the Senate chair of the commission and the first House of Representatives member named by the Speaker of the House is the House chair of the commission; and be it further

Sec. 4 Appointments; convening of commission. Resolved: That all appointments must be made no later than 30 days following the effective date of this resolve. The appointing authorities shall notify the Executive Director of the Legislative Council once all appointments have been completed. Within 15 days after appointment of all members, the chairs shall call and convene the first meeting of the commission, which must be no later than 60 days following the effective date of this resolve; and be it further

Sec. 5 Duties. Resolved: That the commission shall review the Brookings Institution report, “Charting Maine’s Future: An Action Plan for Promoting Sustainable Prosperity and Quality Places,” and design reforms to the taxation and spending structure in Maine with a focus on efficiency for submission to the Second Regular Session of the 123rd Legislature for a straight yes or no vote without amendments; and be it further

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

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

Sec. 8 Report. Resolved: That, no later than January 15, 2008, the commission shall submit a report that includes its findings and recommendations, including suggested legislation, for presentation to the Second Regular Session of the 123rd Legislature. The commission is authorized to introduce legislation related to its report at the time of submission of its report; and be it further

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

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

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

SUMMARY

This resolve establishes a study commission to review the Brookings Institution report, “Charting Maine’s Future: An Action Plan for Promoting Sustainable Prosperity and Quality Places.” The commission is to report back with suggested legislation for a yes or no vote, without amendments, on tax and spending reform for the State, with a focus on efficiency.