

TESTIMONY OF MICHAEL KEBEDE, ESQ.

Ought to Pass - LD 149

An Act To Facilitate Licensure for Credentialed Individuals from Other Jurisdictions

Submitted to the

JOINT STANDING COMMITTEE ON
INNOVATION, DEVELOPMENT, ECONOMIC ADVANCEMENT AND BUSINESS

March 23, 2021

Senator Curry, Representative Roberts, and distinguished members of the Joint Standing Committee on Innovation, Development, Economic Advancement and Business, greetings. My name is Michael Kebede, and I am the Policy Counsel at the ACLU of Maine, a statewide organization committed to advancing and preserving civil rights and civil liberties guaranteed by the Maine and U.S. Constitutions. On behalf of our members, we urge you to support LD 149 because allowing qualified workers to use their professional skills will make the State of Maine more equitable and more prosperous.

Imagine for a moment that you were an experienced nurse, and that you lived with your partner, who just got an exciting job offer to come work in Maine. You want to move somewhere new, and you have heard wonderful things about living in Maine, so you search for jobs and see that long-term care facilities badly need workers just like you. There is more demand for your labor than there is supply; no one is available to fill the job, and you want to go. If you got the job, you would add real value in an important economic sector, local businesses would gain a new customer, and the residents at the long-term care facility would have someone to help them perform day to day tasks that they cannot do on their own.

Now imagine that you set up an interview, and the employer tells you that, for some technical reason, the State of Maine will not grant you a license. You have great qualifications, and the employer thinks you'll do a great job, but there's a regulation in the way. You will then have to make a choice: do you move to Maine and give up your profession, at least for a time?¹ Or do you and your partner move somewhere else that values you and your skills more appropriately, even though anywhere other than Maine is your second choice?

In economics, this is called a government failure, because the government is actively standing in the way of rational choices that would make everyone better off. Labor specialization is one of the strongest predictors of an economy's health.² When people are qualified to do a specific kind of work, yet are forced to do something else, nobody wins. They cannot use their skills, and others cannot benefit from them.³ Moreover, businesses might look elsewhere when planning where to open new locations. In other words, by impeding the free mobilization of labor, government regulations are creating a market inefficiency. This inefficiency impedes Maine's economic development. LD 149 would allow the Director of the Office of Professional and Occupational Regulation to solve this problem. Therefore, we urge you to vote *ought to pass*.

¹ Gwynn Guilford, *Many Workers Gave Up Looking for Jobs Across the U.S. in September*, WALL ST. J., (Oct. 20, 2020), <https://www.wsj.com/articles/many-workers-gave-up-looking-for-jobs-across-the-u-s-in-september-11603220793> ("The longer people stay out of work, the rustier their skills get and the harder it is for them to find jobs again when the economy improves, economists say. Since growth depends in part on an expanding labor force, the loss of would-be workers could erode the economy's potential.").

² JAMES M. CYPHER, *THE PROCESS OF ECON. DEV.* 457 (2014) ("It is not stretching the truth to say that an economy's labor force is its most significant resource endowment.").

³ For real world examples of how this is happening in Maine, see Peter McGuire, *Employment barriers for highly skilled immigrants lead to 'brain waste' in Maine*, PORTLAND HERALD (Feb. 20, 2021), <https://www.pressherald.com/2021/02/21/employment-barriers-for-highly-skilled-immigrants-lead-to-brain-waste-in-maine/#>.