

LD 1 – An Act to Ensure Regulatory Fairness and Reform

Sponsor: Senator RAYE of Washington County

Co-Sponsors: Representative NUTTING of Oakland

Summary: The bill proposes to amend Maine’s laws to improve the business climate in the State by eliminating duplicate or unnecessary regulations and promote fairness, effectiveness and efficiency in the development, adoption, implementation and enforcement of regulatory efforts.

Explanation: LD 1 was introduced as a “concept draft” at the beginning of the legislative session with no specifics about how it would improve Maine’s business climate. On January 24th, Governor LePage announced a sweeping set of proposals to repeal and weaken Maine’s environmental laws – and these proposals were ostensibly the ones that would fill in the details for LD 1. The Governor claimed that his “Phase 1 Regulatory Reform Proposals” were generated through a series of meetings hosted by the Governor and the Maine Chamber of Commerce, but many clearly were the work of lobbyists working for out-of-state corporate interests. The Governor’s “Phase 1” proposals were so extreme that they generated a broad backlash of concern from Maine people. Individuals who were opposed to the Governor’s proposals outnumbered those in support by 3:1 during a set of hearings held by the Committee on Regulatory Fairness and Reform in late January and early February.

On February 14th, the Governor released an “LD 1 Amendment” which included a subset of the earlier Phase 1 regulatory reform proposals. Since February 24th, the Committee on Regulatory Fairness and Reform has held two work sessions per week to review proposals in the Governor’s LD 1 amendment, as well as other regulatory reform ideas that have come to the Committee. Many of the issues contained in the Governor’s original environmental rollback package have been assigned to other committees to consider, often as part of rollback bills that have been introduced by other legislators.

The Regulatory Fairness and Reform Committee has been evaluating proposals such as eliminating or restructuring the Board of Environmental Protection, facilitating “beneficial reuse” of hazardous waste, establishing an environmental self-audit policy for Maine businesses, creating a new business ombudsman position, and providing Maine’s Secretary of State with the authority to block enforcement actions.

NRCM has been following the LD 1 work sessions closely, and has offered constructive language where possible to help keep the focus of the Committee on process improvements, and not lowering Maine’s environmental standards. We anticipate that the Committee will hold a public hearing on a revised bill once the initial series of work sessions have been completed.

NRCM will not have a position on LD 1 until a revised bill is presented at a public hearing.