

Citizen Trade Policy Commission
May 22, 2009
Transportation Committee Room, Augusta
10:00 A.M. Commission Business Meeting

Meeting Summary

Members present: Rep. Margaret Rotundo, Sen. Roger Sherman, Rep. Sharon Treat, Rep. Jeffery Gifford, John L. Patrick, Michael Hiltz, John Palmer, Jane Aiudi, Cynthia Phinney, Leslie Manning, Paul Volckhausen, Joseph Woodbury, Michael Herz, Sarah Bigney, Linda Pistner and Carla Dickstein

Staff present: Curtis Bentley, Legislative Analyst

1. Commission introductions

2. USTR visit update from Rep. Treat:

- o Trade agreements are not clear as to whether or not prescription drugs are carved out for states regarding preferred prescription drugs.
- o Cover letter provided from meeting with Ambassador Kirk that included 4 points discussed at the meeting;
- o Lisa Garcia – contact for intergovernmental affairs that the commission may want to invite to a meeting;
- o Commission may want to think about discussing this issue further;
- o Commission voted to send a follow up letter to USTR to encourage to continue to think the lines discussed and to find someone to talk to the commission about public health at the next meeting- guest speaker

3. Lori Wallach (conference call):

- o GATS Antigua case update - compensation for removing the gambling sector, 6 nations lined up to get compensation.
- o Received EU settlement documents because they were completed which documents that there were 4 new service sectors to be given in compensation such as research and development subsidies and storage/warehousing that would include LNG facilities.
- o This could commit LNG storage facilities and oil/gas tank firms. Groups of states have said to USTR that this is a mistake and it should be fixed by removing “tank farms” and keep the rest of the storage facilities for solid goods - so far there has not been a response from USTR. If this goes through it would bind us to these new sectors without a legislative vote or any input from the states and may take away the federal government’s authority to regulate tank forms (LNGs).
- o Panama FTA- USTR has implied that there might be a slow down on the push to get another NAFTA style FTA in place because of legislative questions.

- NAFTA and CAFTA and the Panama agreement have special rights for foreign investors for minimum standard treatment that are greater rights than those provided to domestic investors.
- The Panama FTA may be stalled until the Administration can decide what the policy should be on new trade agreements, which means it is unlikely this will be brought up until after the June recess.
- The Trade Act is alive and should be moving through Congress.
- The commission discussed writing a letter to leave Maine the space to regulate LNG if the new commitment for this sector moves forward; the foreign investor would have new rights to challenge Maine law subject to necessary tests under WTO. If commit Commission voted to send a letter to Congressional delegation regarding the potential impact of Panama FTA on Maine and Maine's financial institutions.
- Send a letter to the President similar to the letters sent by other states to remove "tank farms" from any new commitments under the Antigua case - be clear that the commission is not taking a position on siting LNG facilities in Maine but strongly feels that the state's ability to regulate should not be impinged upon by WTO rules.

4. Planning discussion:

- Update next meeting on LD 1310 (in Natural Resources Committee) and LD 1257 (Rep. Treat's bill)
- Possible public hearing in September
- Next meeting June 26th at 10am; at that time discuss work plan for next 6 months.