

MAINE STATE LEGISLATURE

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120th MAINE LEGISLATURE

FIRST REGULAR SESSION-2001

Legislative Document

No. 1634

S.P. 515

In Senate, March 13, 2001

**An Act to Amend the Laws Pertaining to the Maine Small Business
Commission.**

Submitted by the Department of Economic and Community Development pursuant to Joint Rule 204.

Reference to the Committee on Business and Economic Development suggested and ordered printed.

A handwritten signature in cursive script that reads "Joy J. O'Brien".

JOY J. O'BRIEN
Secretary of the Senate

Presented by Senator SHOREY of Washington.
Cosponsored by Representative BRYANT of Dixfield.

2
3 **Be it enacted by the People of the State of Maine as follows:**

4 **Sec. 1. 5 MRSA §13032**, as enacted by PL 1989, c. 875, Pt. L,
5 §§2 and 4, is amended to read:

6 **§13032. Maine Small Business Commission established**

7 The Maine Small Business Commission is established as an
8 independent commission within the department to evaluate and
9 coordinate small business and entrepreneurial programs, contract
10 with the administrative unit and exercise other powers and
11 responsibilities as provided in this chapter.

12
13 **Sec. 2. 5 MRSA §13033**, as enacted by PL 1989, c. 875, Pt. L,
14 §§2 and 4, is amended to read:

15 **§13033. Membership**

16
17 The commission consists of 3 7 members: the State-Auditor,
18 the Chief Executive Officer of the Finance Authority of Maine
19 and; the Commissioner of Economic and Community Development; the
20 District Director of the United States Small Business
21 Administration's Maine District Office; and a designee from the
22 administrative unit and 3 public members with expertise and
23 knowledge in small business and entrepreneurship, appointed by
24 the commissioner.

25
26 **Sec. 3. 5 MRSA §13034**, as enacted by PL 1989, c. 875, Pt. L,
27 §§2 and 4, is amended to read:

28 **§13034. Powers of commission**

29 The commission has the power to:

30
31 **1. Negotiate and approve contract.** Negotiate, approve and
32 enforce the contract with the administrative unit by which state
33 funds are provided by the administrative unit to the small
34 business development centers throughout the State. Approval of
35 the contract requires the approval of at least 2 4 members of the
36 commission;

37
38 **2. Evaluate small business programs.** Evaluate the and make
39 recommendations to coordinate small business and entrepreneurial
40 programs statewide, including those administered or overseen by
41 the department;

42
43 **3. Issue reports and recommendations.** Issue reports and
44 recommendations to the commissioner, the Governor and the
45 Legislature in regard to programs that support or promote small
46 business assistance programs and entrepreneurship; and

2 **4. Hire professional staff.** Hire professional staff who
4 are not subject to the Civil Service Law and who serve at the
pleasure of the commission.

6 A. Funding of professional staff must be provided by the
8 department from resources made available to the Office of
Business Development for personal services.

10 B. The department shall provide clerical support as
12 required by the commission.

14 **Sec. 4. 5 MRSA §13035, first ¶**, as enacted by PL 1989, c. 875,
Pt. L, §§2 and 4, is amended to read:

16 The commission is responsible for overseeing the Small
18 Business Development Center Program, enforcing the contract
between the ~~Finance--Authority--of--Maine~~ department and the
20 administrative unit, and providing funds to the program, and
advising the commissioner on strengthening the support
22 infrastructure for entrepreneurship in the State. The commission
has the following duties.

24 **Sec. 5. 5 MRSA §13035, sub-§§2 and 3**, as enacted by PL 1989, c.
26 875, Pt. L, §§2 and 4, are amended to read:

28 **2. Review, evaluate and make recommendations to coordinate**
programs. The commission shall review and, evaluate the and make
recommendations to coordinate small business assistance and
30 entrepreneurial programs of the department as provided in section
13058,--subsection--5 statewide. The commission shall issue a
32 report that meets the standards defined in section 13058,
subsection 5. The commission shall advise the commissioner to
34 help develop and implement statewide strategies and policies as
they relate to encouraging economic development by developing and
36 growing entrepreneurial businesses around the State.

38 **3. Advise and make recommendations.** The commission shall
40 advise the commissioner, the Governor and the Legislature with
respect to the results of its evaluation of small business and
42 entrepreneurial programs and its oversight and enforcement of the
contract with the administrative unit.

44
46

SUMMARY

48 This bill requires the Maine Small Business Commission to
evaluate entrepreneurial programs as part of their duties and
requires the commission to advise the Commissioner of Economic
50 and Community Development to assist in developing and

2 implementing statewide strategies and policies as they relate to
encouraging economic development by developing entrepreneurial
3 businesses around the State. The bill also changes the number of
4 members of the commission from 3 to 7.