

MAINE STATE LEGISLATURE

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**STATE OF MAINE
117TH LEGISLATURE**

SECOND REGULAR SESSION

**BILL SUMMARIES
JOINT STANDING COMMITTEE
ON
BUSINESS AND ECONOMIC DEVELOPMENT**

JUNE 1996

MEMBERS:

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Sen. Jill M. Goldthwait

Sen. Alton E. Cianchette

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**ONE HUNDRED SEVENTEENTH LEGISLATURE
SECOND REGULAR SESSION**

***Summary Of Legislation Before The Joint Standing Committees
June 1996***

We are pleased to provide this summary of bills that were considered by the 15 Joint Standing Committees of the Maine Legislature staffed by this office. The document is a compilation of bill summaries which describe each bill, committee amendments and other relevant amendments, as well as the final action taken on the bill. Also included are statistical summaries of bill activity this Session for the Legislature and each of its joint standing committees.

The document is organized for convenient reference to information on bills handled by the joint standing committees. It is organized alphabetically by committees and within committees by bill (LD) number. The committee report(s), prime sponsor for each bill and the lead co-sponsor(s), if designated, are listed below each bill title. All adopted amendments are listed by paper number. Two indices, a subject index and a numerical index by LD number are provided for easy reference to bills. They are located at the back of the document. A separate publication, History and Final Disposition of Legislative Documents, may also be helpful in providing information on the disposition of bills.

Final action on each bill is noted to the right of the bill title. The abbreviations used for various categories of final action are as follows:

<i>CARRIED OVER</i>	<i>Bill carried over to Second Session</i>
<i>CON RES XXX</i>	<i>Chapter # of Constitutional Resolution passed by both Houses</i>
<i>CONF CMTE UNABLE TO AGREE</i>	<i>Committee of Conference unable to agree; bill died</i>
<i>DIED BETWEEN BODIES</i>	<i>House & Senate disagree; bill died</i>
<i>DIED ON ADJOURNMENT</i>	<i>Action incomplete when session ended; bill died</i>
<i>EMERGENCY</i>	<i>Enacted law takes effect sooner than 90 days</i>
<i>FAILED EMERGENCY ENACTMENT</i>	<i>Emergency bill failed to get 2/3 vote</i>
<i>FAILED ENACTMENT</i>	<i>Bill failed to get majority vote</i>
<i>FAILED MANDATE ENACTMENT</i>	<i>Bill imposing local mandate failed to get 2/3 vote</i>
<i>INDEF PP</i>	<i>Bill Indefinitely Postponed</i>
<i>ONTP</i>	<i>Ought Not To Pass report accepted</i>
<i>P&S XXX</i>	<i>Chapter # of enacted Private & Special Law</i>
<i>PUBLIC XXX</i>	<i>Chapter # of enacted Public Law</i>
<i>RESOLVE XXX</i>	<i>Chapter # of finally passed Resolve</i>
<i>UNSIGNED</i>	<i>Not signed by Governor within 10 days</i>
<i>VETO SUSTAINED</i>	<i>Legislature failed to override Governor's Veto</i>

Please note the effective date for all non-emergency legislation enacted in the Second Regular Session (unless otherwise specified in a particular law) is July 4, 1996.

2. It would have changed references to "certificate of registration" to "license" and "institution" to "program"; and
3. It would have updated the definitions of "social work," "psychosocial assessment," "evaluation," "intervention" and "treatment" as they pertain to social work practice.

The sponsor was not satisfied with the bill and never formally presented it. It was carried over in the First Session and then voted ONTP in the Second with no public hearing.

LD 1270 An Act to Redefine the Oil and Solid Fuel Board ONTP

<u>Sponsor(s)</u> HARRIMAN	<u>Committee Report</u> ONTP	<u>Amendments Adopted</u>
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LD 1270 proposed to remove the Oil and Solid Fuel Board from the Department of Professional & Financial Regulation. Enforcement activities still would have been conducted by an agency of State Government and the board's operations were still subject to the Maine Administrative Procedure Act.

The bill was held over at the Department's request in order to provide time to work out the budgetary issue that prompted the bill. The Department submitted a proposed amendment as a result of their study that would have attempted to meet the board's financial problems by repealing the manufacturer's biennial registration fee of \$300, which has proven difficult to collect and creating a "major equipment installation identification" requirement, which would have required oil and solid fuel technicians to tag their installations of major equipment. Tags would be sold by the board for a fee of \$10. Tagging would also have allowed the board to identify who installed or replaced such equipment, thus aiding in the enforcement of the laws.

**LD 1607 Resolve, to Extend Deadlines Relating to the Task Force to Review the Beverage Container Deposit Laws RESOLVE 59
EMERGENCY**

<u>Sponsor(s)</u> LIBBY JL	<u>Committee Report</u> OTP	<u>Amendments Adopted</u>
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LD 1607 proposed to amend the resolve creating the Task Force to Review the Beverage Container Deposit Laws by extending the date for hearings by the task force to November 30, 1995 and the date for the final report to December 20, 1995.

Enacted law summary

Resolve 1995, chapter 59 amends the resolve creating the Task Force to Review the Beverage Container Deposit Laws by extending the date for hearings by the task force to November 30, 1995 and the date for the final report to December 20, 1995.

LD 1654 An Act to Correct the Law Relating to Small Auctioneers ONTP

<u>Sponsor(s)</u> DEXTER	<u>Committee Report</u> ONTP	<u>Amendments Adopted</u>
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Large auctioneers must pay a \$100 biennial license fee. Small auctioneers were exempted from paying the license fee by legislation enacted during the 117th First Regular Session of the Legislature. However, the small salaried auctioneers are not held to qualify for fee exemptions as the law is currently written because their gross income is shown to come from a company and not from auction sales. The Department of Professional & Financial Regulation submitted LD 1654 in an attempt to clarify the category of small auctioneer to include those who are salaried with an auction company.

LD 1654 proposed to amend the definition of small auctioneer by clarifying that the maximum gross income of \$10,000 may come from annual income or salaries for auction sales collected from auction companies.

LD 1675 An Act to Amend the Membership of Certain Boards and Commissions

PUBLIC 688

<u>Sponsor(s)</u>	<u>Committee Report</u>	<u>Amendments Adopted</u>
HARRIMAN	OTP-AM MAJ	H-898
ROWE	OTP-AM MIN	S-451

LD 1675 proposed to allow the Commissioner of Economic and Community Development, the Commissioner of Labor, the Commissioner of Professional and Financial Regulation and the Commissioner of Defense and Veterans' Services to appoint a designee to serve on the Task Force on Defense Realignment and the Economy. It also proposed to allow the Commissioner of Economic and Community Development to appoint a designee to serve on each of the following: the Land and Water Resources Council; the Economic Development and Business Assistance Coordinating Council; the Maine Small Business Commission; the Maine State Film Commission; the Maine Economic Growth Council; the Board of Directors of the Maine World Trade Association; the Finance Authority of Maine; and the Board of Trustees of the Maine Technical College System.

Committee Amendment "A" (S-451), which was the Majority Report, proposed to delete the Maine Technical College System and the Finance Authority of Maine from the list of boards and commissions that require the Commissioner of DECD to serve on as a member. The amendment also proposed to require that the designee be from within the Department of Economic and Community Development, be formally appointed and be the commissioner's only representative until a successor is similarly appointed.

Committee Amendment "B" (S-452) was the Minority Report of the Joint Standing Committee on Business and Economic Development

The original bill proposed to allow the Commissioner of Economic and Community Development to appoint a designee to a number of boards and commissions that require the commissioner as a member. This amendment would have required that the designee be from within the Department of Economic and Community Development, be formally appointed and be the commissioner's only representative until a successor is similarly appointed. This amendment also would have deleted the Maine Technical College System and the Finance Authority of Maine from that list, which currently are the only 2 bodies to which the commissioner is appointed that require appointee confirmation, and would have prohibited the empowerment of the commissioner to appoint a designee to any such body in the future. (Not Adopted)