

# MAINE STATE LEGISLATURE

The following document is provided by the  
**LAW AND LEGISLATIVE DIGITAL LIBRARY**  
at the Maine State Law and Legislative Reference Library  
<http://legislature.maine.gov/lawlib>



Reproduced from electronic originals  
(may include minor formatting differences from printed original)

**STATE OF MAINE  
117TH LEGISLATURE**

**SECOND REGULAR SESSION**

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

**JUNE 1996**

***MEMBERS:***

***Sen. Philip E. Harriman, Chair***

***Sen. Jill M. Goldthwait***

***Sen. Alton E. Cianchette***

***Rep. G. Steven Rowe, Chair***

***Rep. Thomas M. Davidson***

***Rep. Edward J. Povich***

***Rep. Rosaire J. Sirois***

***Rep. Shirley K. Richard***

***Rep. Jack L. Libby***

***Rep. William F. Reed***

***Rep. Robert A. Cameron***

***Rep. Brenda Birney***

***Rep. Kenneth F. Lemont***

***Staff:***

***John B. Knox, Legislative Analyst***

***Office of Policy and Legal Analysis  
Room 101/107/135, 13 State House Station  
Augusta, ME 04333  
(207)287-1670***



**Maine State Legislature  
OFFICE OF POLICY AND LEGAL ANALYSIS**

13 State House Station, Augusta, Maine 04333-0013  
Telephone: (207) 287-1670  
Fax: (207) 287-1275

**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 &amp; 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&amp;S XXX</i> .....	<i>Chapter # of enacted Private &amp; 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.

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)

**House Amendment "A" To Committee Amendment "A" (H-757)** proposed to make the following changes to the Board of Trustees of the Maine Technical College System.

1. It would have removed the Commissioner of Education, the Commissioner of Economic and Community Development and the Commissioner of Labor as ex officio, voting members of the board.
2. It would have changed from 5 to 6 the number of technical college students on a list solicited by the president of the system of students eligible to fill the student seat on the board.
3. It would have permitted the Governor to appoint, as one of 12 appointees to the board, one member who, at the time of nomination, serves as the Commissioner of Education, Commissioner of Economic and Community Development or Commissioner of Labor.
4. It would have changed the requirement for action of the board from 6 members present and voting to the majority of the members present and voting.

(Not Adopted)

**House Amendment "B" To Committee Amendment "A" (H-898)** proposed to change the membership of the Board of Trustees of the Maine Technical College System by making the Commissioner of Labor and the Commissioner of Economic and Community Development ex officio nonvoting members of the board. The Commissioner of Education would continue to serve as an ex officio voting member. The amendment also proposed to change a quorum to a majority of the voting members and required a majority of voting members for approval of any action taken by the board.

***Enacted law summary***

Public Law 1995, chapter 688 allows the Commissioner of the Department of Economic & Community Development to appoint a designee to 6 of 8 of the boards and commissions on which the Commissioner is required to serve. The Commissioner may not appoint a designee to the Technical College System and FAME boards because they are boards that require legislative approval of appointees. Chapter 688 also removes the Commissioners of Labor and Economic & Community Development from membership on the board of the Technical College System.

**LD 1746      An Act to Encourage High-quality Maine Jobs through a  
21st-century Maine Program**

ONTP

Sponsor(s)  
FAIRCLOTH  
ROWE

Committee Report  
ONTP

Amendments Adopted

LD 1746 would have accomplished the following.

1. It would have established the Emerging Industry and Technology Loan Program Commission to help high potential businesses succeed in the State. It would have directed the commission to assess the availability of federal, state and private loan programs to businesses in emerging industries and technologies in Maine and to recommend methods to increase access to and awareness of loan programs.