

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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Rep. Thomas M. Davidson

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Staff:

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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.

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.

2. It would have directed the Finance Authority of Maine to solicit funding from private industry to promote a Create Your Own Business Program, using as a model the similarly named program in Wisconsin.

**LD 1767 An Act to Revise the Sunrise Review Process
for Occupational and Professional Regulation**

PUBLIC 686

Sponsor(s)
ROWE

Committee Report
OTP-AM

Amendments Adopted
H-877

LD 1767 proposed to require that a person desiring that a profession or occupation be regulated submit an application containing the answers to questions similar to those in Title 5, section 12015, subsection 3 to the Commissioner of Professional and Financial Regulation, who is required to assemble a technical committee to make a recommendation on the application. The commissioner was to attach the department's recommendation and forward this material to the appropriate legislative committee.

Committee Amendment "A" (H-877) proposed to follow the current law except that applicant groups would be required to answer the questions and except that it would have allowed the committee of reference to request the commissioner or a technical committee to initially evaluate whether or not the applicant's answers are sufficient to justify regulation. The commissioner would then prepare a report including any necessary implementing legislation. The commissioner would be able to recommend that no legislative action be taken on a proposal.

Enacted law summary

Public Law 1995, chapter 686 follows the current law except that professions wishing to be regulated are required to answer the justification questions and except that it allows the committee of reference to request the commissioner of the Department of Professional & Financial Regulation or a technical committee to initially evaluate whether or not the applicant's answers are sufficient to justify regulation. The commissioner is then to prepare a report including any necessary implementing legislation. The commissioner may recommend that no legislative action be taken on a proposal.

**LD 1801 An Act to Provide for the 1996 and 1997 Allocations of the
State Ceiling on Private Activity Bonds**

P & S 61
EMERGENCY

Sponsor(s)
GWADOSKY

Committee Report
OTP

Amendments Adopted

LD 1801 proposed to establish the allocations of the state ceiling on issuance of tax-exempt bonds for calendar years 1996 and 1997. Under federal law, a maximum of \$150,000,000 in tax-exempt bonds benefiting private individuals or entities may be issued in this State each year. Chapter 61 proposed to allocate the state ceiling among the state issuers of tax-exempt bonds.

Enacted law summary

Private and Special Law, chapter 61 establishes the allocations of the state ceiling on issuance of tax-exempt bonds for calendar years 1996 and 1997. Under federal law, a maximum of \$150,000,000 in tax-exempt bonds benefiting private individuals or entities may be issued in this