

MAINE STATE LEGISLATURE

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**STATE OF MAINE
119TH LEGISLATURE**

FIRST REGULAR SESSION

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

JULY 1999

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ONE HUNDRED NINETEENTH LEGISLATURE
FIRST REGULAR SESSION

Summary Of Legislation Before The Joint Standing and Select Committees
August 1999

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

The document is organized for convenient reference to information on bills considered by the committees. It is organized 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. These bill summaries also are available at the Law and Legislative Reference Library and on the Internet (www.state.me.us/legis/opla).

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:

CARRIED OVER.....Bill carried over to Second Regular Session
CON RES XXX..... Chapter # of Constitutional Resolution passed by both Houses
CONF CMTE UNABLE TO AGREE.....Committee of Conference unable to agree; bill died
DIED BETWEEN BODIES.....House & Senate disagree; bill died
DIED IN CONCURRENCE..... One body accepts ONTP report; the other indefinitely postpones the bill
DIED ON ADJOURNMENT.....Action incomplete when session ended; bill died
EMERGENCY..... Enacted law takes effect sooner than 90 days
ENACTMENT FAILED..... Bill failed to get vote required for enactment or final passage
NOT PROPERLY BEFORE THE BODY..... Ruled out of order by the presiding officers; bill died
INDEF PP.....Bill Indefinitely Postponed
ONTP..... Ought Not To Pass report accepted
OTP ND..... Committee report Ought To Pass In New Draft
OTP ND/NT..... Committee report Ought To Pass In New Draft/New Title
P&S XXX..... Chapter # of enacted Private & Special Law
PUBLIC XXX..... Chapter # of enacted Public Law
RESOLVE XXX..... Chapter # of finally passed Resolve
UNSIGNED.....Bill held by Governor
VETO SUSTAINED.....Legislature failed to override Governor's Veto

Please note the effective date for all non-emergency legislation enacted in the First Regular Session (unless otherwise specified in a particular law) is September 18, 1999.

\$150,000 to \$500,000. It also would allow the board to obtain an equity or ownership interest in a recipient when the board determines that such an equity position would provide the most appropriate return on the board's investment in the enterprise.

The bill proposed to repeal the requirement that the Small Enterprise Growth Board only invest in enterprises that are not able to access sufficient financial assistance from a financial institution.

Finally, it proposed to amend the eligibility provision of the Agricultural Marketing Loan Fund to clarify that businesses engaged in the growing or harvesting of trees and the processing of wood into by-products or into raw materials for the papermaking process are ineligible for loans under the program.

Committee Amendment "A" (S-309) proposed to make the following changes to the bill:

1. It would require the Finance Authority of Maine to report annually to the Legislature on disbursements made under the Small Enterprise Growth Fund.
2. It would modify the requirement that matching funds obtained by a small business receiving an investment from the Small Enterprise Growth Fund must be at risk in the company for 5 years.
3. It would allow the authority to use the moral obligation of the State to assist businesses with expansion plans or plans to move to the State with revenues of over \$1,000,000, which would retain or create 50 jobs.
4. It would increase the maximum loan insurance the authority can provide for a retail business and remove limitations on the authority's ability to provide assistance to retail businesses.
5. It would correct an inconsistency in the Maine Seed Capital Tax Credit Program by making investments in technology-intensive businesses eligible for the tax credit when those investments are made directly in the business and not solely when made through a venture capital fund.
6. It would modify the definition of facility owner for applicants to the Fund Insurance Review Board to include related entities and individuals and clarify the time that the owner is determined for purposes of application to the fund.
7. It also added a fiscal note to the bill.

Senate Amendment "A" to Committee Amendment "A" (S-411) proposed to change the definition of "agricultural enterprise" for purposes of the Agricultural Marketing Loan Fund. This amendment also proposed to remove that portion of the committee amendment that modifies the definition of "facility owner" for applicants to the Fund Insurance Review Board.

Enacted law summary

Public Law 1999, chapter 504 makes changes to the Small Enterprise Growth Program, the Maine Seed Capital Tax Credit Program and the Agricultural Marketing Loan Fund. See also LD 2255 (Public Law 1999, chapter 531).

LD 952

An Act to Reduce Unsolicited Communications from the Internet

CARRIED OVER

Sponsor(s)
MILLS

Committee Report

Amendments Adopted

LD 952 is being carried over to the Second Regular Session of the 119th Legislature. The bill proposes to:

1. Provide civil remedies for electronic mail providers against registered users who use the provider's equipment located in this State in violation of the provider's policy prohibiting or restricting the use of its service or equipment for the initiation of unsolicited electronic mail advertisements;
2. Provide civil remedies for electronic mail providers against any person who initiates an unsolicited electronic mail advertisement using the provider's equipment located in this State in violation of that provider's policy prohibiting or restricting the use of its equipment to deliver unsolicited electronic mail advertisements to its registered users;
3. Establish criminal penalties for a person who:
 - A. Knowingly accesses and without permission alters, damages, deletes, destroys or otherwise uses any data, computer system or computer network in order to:
 - (1) Devise or execute any scheme or artifice to defraud, deceive or extort; or
 - (2) Wrongfully control or obtain money, property or data;
 - B. Knowingly accesses and without permission takes, copies or makes use of any data from a computer, computer system or computer network, or takes or copies any supporting documentation, whether existing or residing inside or outside a computer, computer system or computer network;
 - C. Knowingly and without permission uses or causes to be used computer services;
 - D. Knowingly accesses and without permission adds, alters, damages, deletes or destroys any data, computer software or computer programs that reside or exist inside or outside a computer, computer system or computer network;
 - E. Knowingly and without permission disrupts or causes the disruption of computer services or denies or causes the denial of computer services to an authorized user of a computer, computer system or computer network;
 - F. Knowingly and without permission provides or assists in providing a means of accessing a computer, computer system or computer network;
 - G. Knowingly and without permission accesses or causes to be accessed any computer, computer system or computer network;
 - H. Knowingly introduces any computer contaminant into any computer, computer system or computer network; or
 - I. Knowingly and without permission uses the Internet domain name of another individual, corporation or entity in connection with the sending of one or more electronic mail messages, and thereby damages or causes damage to a computer, computer system or computer network.

LD 955

An Act to Recodify the Auctioneers Licensing Law

PUBLIC 146

Sponsor(s)
MACKINNON

Committee Report
OTP-AM MAJ
ONTP MIN

Amendments Adopted
S-95