

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
119TH LEGISLATURE**

SECOND REGULAR SESSION

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

JULY 2000

Staff:
Susan Johannesman, Legislative Analyst

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

MEMBERS:

*Sen. Carol A. Kontos, Chair
Sen. Susan W. Longley
Sen. Bruce W. MacKinnon*

*Rep. Gary L. O'Neal, Chair
Rep. Rosaire J. Sirois
Rep. Verdi L. Tripp
Rep. Ronald E. Usher
Rep. Brian Bolduc
Rep. Jean Ginn Marvin
Rep. David E. Bowles
Rep. Harold A. Clough
Rep. Stavros J. Mendros
Rep. Kevin L. Shorey*



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 NINETEENTH LEGISLATURE
SECOND REGULAR SESSION

Summary Of Legislation Before The Joint Standing Committees
July 2000

We are pleased to provide this summary of 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:

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
FAILED EMERGENCY ENACTMENT/FINAL PASSAGE..... Emergency bill failed to get 2/3 vote
FAILED ENACTMENT/FINAL PASSAGE..... Bill failed to get majority vote
FAILED MANDATE ENACTMENT..... Bill imposing local mandate failed to get 2/3 vote
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 Second Regular Session (unless otherwise specified in a particular law) is August 11, 2000.

David E. Boulter, Director
Offices Located in the State House, Rooms 101 & 107

1. Identify how the agency works with other state and federal agencies to coordinate services and eliminate redundant and overlapping requirements; and
2. Compare federal laws and regulations to state laws and rules implemented by the agency.

LD 2650

An Act to Clarify the Enforcement Authority of the Manufactured Housing Board

**PUBLIC 725
EMERGENCY**

<u>Sponsor(s)</u>	<u>Committee Report</u>	<u>Amendments Adopted</u>
LAWRENCE	OTP-AM	S-649

LD 2650 was a concept draft pursuant to Joint Rule 208. The bill proposed to clarify the enforcement authority of the Manufactured Housing Board.

Committee Amendment "A" (S-649) proposed to permit the Manufactured Housing Board to enforce the preemption provisions of the Maine Revised Statutes, Title 10, section 9042, subsection 3 against municipalities and to allow a more expansive private right of action in favor of those adversely affected by a violation of the manufactured housing law. It also proposed to clarify the role of municipal code enforcement officers regarding the inspection of new manufactured housing for violations of the manufactured housing law and the rules adopted pursuant to that law. The amendment also proposed to provide the Manufactured Housing Board with the authority to review denials of applications for certificates of occupancy in certain limited situations and proposed to authorize the Manufactured Housing Board to issue certificates of occupancy. The amendment also proposed to add a fiscal note to the bill.

Enacted law summary

Public Law 1999, chapter 725 permits the Manufactured Housing Board to enforce the preemption provisions of the Maine Revised Statutes, Title 10, section 9042, subsection 3 against municipalities and allows a more expansive private right of action in favor of those adversely affected by a violation of the manufactured housing law. It also clarifies the role of municipal code enforcement officers regarding the inspection of new manufactured housing for violations of the manufactured housing law and the rules adopted pursuant to that law. Finally, it provides the Manufactured Housing Board with the authority to review denials of applications for certificates of occupancy in certain limited situations and authorizes the Manufactured Housing Board to issue certificates of occupancy.

Public Law 1999, chapter 725 was enacted as an emergency measure effective April 14, 2000.

LD 2675

An Act to Create a Linked Investment Program for Child Care Providers

INDEF PP

<u>Sponsor(s)</u>	<u>Committee Report</u>	<u>Amendments Adopted</u>

LD 2675 proposed to implement one of the recommendations of the Business Advisory Commission on Quality Child Care Financing. It proposed to establish a linked investment program for child care providers.

LD 2683

An Act to Enhance Economic Development in the State of Maine

ONTP

Sponsor(s)

Committee Report

Amendments Adopted

LD 2683 was a committee bill reported out of the Business and Economic Development Committee pursuant to Joint Order (S.P. 1002). Part A of the bill proposed to modify the Economic Recovery Program administered by the Finance Authority of Maine by making the programs more flexible to meet the needs of Maine businesses.

The proposed modifications would allow the Finance Authority of Maine to establish repayment terms reflective of the risk of a particular loan by allowing the authority to use financing techniques such as obtaining repayment based on the performance of the company through royalty payments, repayment tied to actual cash flow or through a convertible debenture, which would allow the debt to be converted to equity in the company.

Part A also proposed to repeal the requirement that an applicant must have been turned down by all other lenders. This would allow the Finance Authority of Maine to participate in financing packages with commercial lenders and other economic development agencies.

The provisions of Part A were incorporated into the Part II Budget, Public Law 1999, chapter 731, sections VVV-4, VVV-5 and VVV-6.

Part B proposed to modify the Maine Economic Development Venture Capital Revolving Investment Program Fund administered by the Finance Authority of Maine.

It would clarify that capitalization of the fund may come from sources other than direct appropriations.

It would amend the law to allow the authority to invest in newly established venture capital funds that show evidence of likelihood of success by the manager's background and other factors, as well as established venture capital funds.

It would amend the law to require that a private venture capital fund receiving an investment from the authority certify to the authority that it will undertake to invest in an amount equal to the authority's investment in Maine manufacturers or Maine companies that are involved in the development or application of advanced technologies that provide a product or service that is sold or projected to be sold predominantly outside the State or that otherwise bring capital into the State.

It would repeal the prohibition on an officer or employee of a private venture capital firm from participating in a decision on a project in which the officer or employee has a direct financial interest. It would replace that provision with a requirement that the authority's contract with the private venture capital firm give the authority rights and access equal to all other investors in the venture capital firm.