

MAINE STATE LEGISLATURE

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*State Of Maine
122nd Legislature*

*First Regular Session and
First Special Session*

Bill Summaries

*Joint Standing Committee
on*

Business, Research and Economic Development

August 2005

Members:

Sen. Lynn Bromley, Chair

Sen. Barry J. Hobbins

Sen. Dana L. Dow

Rep. Nancy E. Smith, Chair

Rep. Lillian LaFontaine O'Brien

Rep. Stephen R. Beaudette

Rep. Charles Earl Crosby, III

Rep. David W. Farrington

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Rep. Robert A. Berube

Rep. Lawrence E. Jacobsen

Rep. John C. Robinson

Staff:

Natalie Haynes, Legislative Analyst

Office of Policy and Legal Analysis

13 State House Station

Augusta, ME 04333

(207) 287-1670



Maine State Legislature

OFFICE OF POLICY & LEGAL ANALYSIS

13 State House Station, Room 215 Cross State Office Building
Augusta, Maine 04333-0013
Telephone: (207) 287-1670
Fax: (207) 287-1275

122nd Legislature
First Regular Session and First Special Session

Summary of Legislation Considered by the Joint Standing Committees
August 2005

Enclosed please find a summary of all bills, resolves, joint study orders, joint resolutions and Constitutional resolutions that were considered by the joint standing 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 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. A subject index for each committee is included immediately before the bill summaries for that committee, and a numerical index by LD number is included 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
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 First Regular Session (unless otherwise specified in a particular law) is June 29, 2005; and for non-emergency legislation enacted in the First Special Session is September 17, 2005.

Joint Standing Committee on Business, Research and Economic Development

title of the Office of Business Development to the Office of Business Development and Entrepreneurship. It would expand the requirement that the Office of Business Development and Entrepreneurship focus on not only attracting, but also supporting, particular types of businesses that have potential for Maine and that are considered to be compatible with Maine's environment and interests. It also proposed to provide that when the office conducts an analysis of the various industrial sectors of the economy, the office would analyze the types of businesses to be targeted for support as well as attraction.

House Amendment "A" to Committee Amendment "A" (H-678) proposed to direct the Commissioner of Economic and Community Development to create within existing budgeted resources the Office of Small Business and Entrepreneurship and outline the duties of the Director of the Office of Small Business and Entrepreneurship. The amendment also proposed to strike language that would change the name of the Office of Business Development to the Office of Business Development and Entrepreneurship. It also proposed to strike language in the amendment that broadens the title of the Deputy Commissioner of Economic and Community Development. This amendment also proposed to reestablish the Maine Regulatory Fairness Board.

Enacted law summary

Public Law 2005, chapter 458 directs the Commissioner of Economic and Community Development to create within existing budgeted resources the Office of Small Business and Entrepreneurship and requires the appointment of a director to operate the Office of Small Business and Entrepreneurship. The director of the office will be responsible for advocating for policies and programs that will stimulate investment and growth in small business and entrepreneurship in Maine. The director will be required to assist in the oversight of the State's investments in small business and entrepreneurship initiatives, chair the Maine Entrepreneurship Working Group, prepare a biennial report to the Legislature on the status of small business and entrepreneurship in Maine and oversee the Business Answers program. This law also reestablishes the Maine Regulatory Fairness Board.

LD 1267

An Act To Extend the Kim Wallace Adaptive Equipment Loan Program

**PUBLIC 191
EMERGENCY**

| <u>Sponsor(s)</u> | <u>Committee Report</u> | <u>Amendments Adopted</u> |
|--------------------------|-------------------------|---------------------------|
| MITCHELL RICHARDSON J | OTP | |

LD 1267 proposed to amend the Kim Wallace Adaptive Equipment Loan Program in the following ways:

1. It authorizes a state agency other than the Finance Authority of Maine to administer the program fund.
2. It authorizes the program board to employ individuals as needed.
3. It clarifies how loans are approved or ratified by the board and provides that the board exercises the powers of a lender or creditor upon entering loan agreements.
4. It continues the transportation assistance program that would otherwise cease on June 30, 2005.

Enacted law summary

Joint Standing Committee on Business, Research and Economic Development

Public Law 2005, chapter 191 amends the Kim Wallace Adaptive Equipment Loan Program in the following ways:

1. It authorizes a state agency other than the Finance Authority of Maine to administer the program fund;
2. It authorizes the program board to employ individuals as needed;
3. It clarifies how loans are approved or ratified by the board and provides that the board exercises the powers of a lender or creditor upon entering loan agreements; and
4. It continues the transportation assistance program that would otherwise cease on June 30, 2005.

Public Law 2005, chapter 191 was enacted as an emergency measure effective May 20, 2005.

LD 1273

An Act To Improve the Economic Development of the Indian Tribes

PUBLIC 451

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|--|-----------------------------------|------------------------------------|
| <u>Sponsor(s)</u> SOCKALEXIS SNOWE-MELLO | <u>Committee Report</u> OTP-AM | <u>Amendments Adopted</u> H-565 |
|--|-----------------------------------|------------------------------------|

LD 1273 proposed to expand the Penobscot Valley Pine Tree Development Zone to include all land held or acquired by the Penobscot Nation. Current law designates the Penobscot Valley region, including up to 500 acres of land reserved for the Penobscot Nation, as a Pine Tree Development Zone.

Committee Amendment "A" (H-565) replaced the bill and proposed to remove the current tribal property from the Pine Tree Development Zone 5,000-acre limit and would allow the tribes to designate any part of their land, up to the statutory 500 acres, or 100 acres for the Aroostook Band of Micmacs and the Houlton Band of Maliseet Indians, as Pine Tree Development Zones.

Enacted law summary

Public Law 2005, chapter 451 removes the current tribal property from the Pine Tree Development Zone 5,000-acre limit and allows the tribes to designate any part of their land, up to the statutory 500 acres, or 100 acres for the Aroostook Band of Micmacs and the Houlton Band of Maliseet Indians, as Pine Tree Development Zones.

LD 1277

An Act Regarding Speech-language Pathology Aides

**P & S 12
EMERGENCY**

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|---|-----------------------------------|------------------------------------|
| <u>Sponsor(s)</u> SHERMAN MILLS P | <u>Committee Report</u> OTP-AM | <u>Amendments Adopted</u> H-272 |
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LD 1277 proposed to provide speech-language pathology aides additional time to meet the requirements for registration as speech-language pathology assistants.