

PLEASE NOTE: Legislative Information **cannot** perform research, provide legal advice, or interpret Maine law. For legal assistance, please contact a qualified attorney.

## **An Act To Strengthen the Maine Small Business and Entrepreneurship Commission**

**Be it enacted by the People of the State of Maine as follows:**

**Sec. 1. 5 MRSA §13033**, as amended by PL 2005, c. 425, §3, is repealed and the following enacted in its place:

### **§ 13033. Membership; staff**

**1. Membership.** The commission consists of 10 members:

A. The Chief Executive Officer of the Finance Authority of Maine or the chief executive officer's designee;

B. The commissioner or the commissioner's designee;

C. The Senate and House chairs of the joint standing committee of the Legislature having jurisdiction over business, research and economic development matters, who are ex officio, nonvoting members;

D. The chair of the Small Business Development Center's Advisory Council;

E. The District Director of the United States Small Business Administration's Maine District Office;

F. A designee from the administrative unit; and

G. Three public members with expertise and knowledge in small business and entrepreneurship, appointed by the Governor and subject to confirmation by the Senate. A member appointed pursuant to this paragraph serves a 3-year term.

Members serving by virtue of their status pursuant to paragraphs A to F serve as long as they maintain that status.

**2. Chair.** The commissioner or the commissioner's designee serves as chair of the commission.

**3. Staff.** The department shall provide staff, including professional staff and clerical support, to the commission.

**Sec. 2. 5 MRSA §13034, sub-§2**, as amended by PL 2001, c. 142, §3, is further amended to read:

**2. Evaluate small business programs.** Evaluate and make recommendations to coordinate small business and entrepreneurial programs statewide, including those administered or overseen by the department; and

**Sec. 3. 5 MRSA §13034, sub-§3,** as amended by PL 2001, c. 142, §3, is further amended to read:

**3. Issue reports and recommendations.** Issue reports and recommendations to the commissioner, the Governor and the Legislature in regard to programs that support or promote small business assistance and entrepreneurship; ~~and.~~

**Sec. 4. 5 MRSA §13034, sub-§4,** as enacted by PL 1989, c. 875, Pt. L, §§2 and 4, is repealed.

**Sec. 5. 5 MRSA §13035, sub-§4** is enacted to read:

**4. Board of directors.** The commission shall operate as the functional equivalent of the board of directors for the Small Business Development Center Program in the State and shall ensure compliance with federal guidelines for the program. In acting as the board of directors, the commission shall submit to the joint standing committee of the Legislature having jurisdiction over business and economic development matters for review by January 31st in each first regular session:

A. A set of governance procedures adopted by the commission for the program; and

B. The commission's recommendation for funding the Small Business Development Center Program.

**Sec. 6. 5 MRSA §13035, sub-§5** is enacted to read:

**5. Chair's annual report.** The commission, through the chair, shall annually issue a report on small business economic development in the State.

**Sec. 7. Staggered terms.** Notwithstanding the Maine Revised Statutes, Title 5, section 13033, subsection 1, paragraph G, the Governor shall nominate the 3 public members of the Maine Small Business and Entrepreneurship Commission for confirmation by the Senate in the First Regular Session of the 124th Legislature so that one member serves a one-year term, one member serves a 2-year term and one member serves a 3-year term. Members appointed after that session are appointed for 3-year terms.

## SUMMARY

This bill makes several changes to the law governing the Maine Small Business and Entrepreneurship Commission. Specifically, the bill does the following.

1. Under current law, the Commissioner of Economic and Community Development appoints 3 public members to the commission with expertise and knowledge in small business and entrepreneurship. Under this bill, the Governor appoints those members, subject to confirmation by the Senate, for 3-year staggered terms.

2. The bill provides that the chair of the commission is the Commissioner of Economic and Community Development or the commissioner's designee.

3. The bill requires the Department of Economic and Community Development to provide both professional and clerical staff to the commission.

4. The bill makes the commission the functional equivalent of a board of directors for the Small Business Development Center Program and requires the commission to adopt a set of governance procedures and submit funding recommendations to the joint standing committee of the Legislature having jurisdiction over business and economic development matters.

5. The bill requires the chair of the commission to issue an annual report on small business economic development in the State.