

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

Amend the bill by striking out everything after the enacting clause and inserting the following:

‘**Sec. 1. 5 MRSA §3304-A** is enacted to read:

§ 3304-A. Small Business Regulatory Advocate

1. Small Business Regulatory Advocate. The Small Business Regulatory Advocate, referred to in this section as "the advocate," is established in the office. The advocate must be qualified by education, training and experience in advocacy, policies and assistance for small businesses. The advocate must be an individual who provides technical support to the Maine Regulatory Fairness Board pursuant to section 57, subsection 6.

2. Powers and duties. The advocate shall:

A. Assist small businesses in resolving problems with state agencies and business owners that face hardship as a result of actions taken by a regulatory agency;

B. Identify areas in which small businesses have problems in dealings with state agencies;

C. Propose changes in the administrative practices of state agencies to mitigate those problems identified pursuant to paragraph B;

D. Identify potential legislative changes that may be appropriate to mitigate problems identified pursuant to paragraph B; and

E. Report annually to the Governor and to the joint standing committee of the Legislature having jurisdiction over business, research and economic development matters detailing the regulatory assistance provided to small businesses. The advocate may submit recommendations for legislative action the advocate determines necessary to further the purposes of this section.

Departments, agencies, authorities, boards, commissions, other instrumentalities of the State and other governmental units shall assist the advocate in the gathering of information, reports and data that relate to small business assistance.

Sec. 2. Appropriations and allocations. The following appropriations and allocations are made.

EXECUTIVE DEPARTMENT

Planning Office 0082

Initiative: Provides funding for one Small Business Regulatory Advocate position at the State Planning Office.

GENERAL FUND	2009-10	2010-11
POSITIONS - FTE COUNT	1.000	1.000
Personal Services	\$61,090	\$61,090
All Other	\$39,777	\$39,777
GENERAL FUND TOTAL	\$100,867	\$100,867

SUMMARY

This amendment is the minority report of the committee and replaces the bill. It establishes the Small Business Regulatory Advocate in order to assist small businesses in resolving problems with state agencies and business owners that face hardship as a result of actions taken by a regulatory agency. It also requires that the advocate must be an individual from the Executive Department, State Planning Office who provides technical assistance to the Maine Regulatory Fairness Board. It further requires the advocate to identify areas in which small businesses have problems in dealings with state agencies, propose changes in the administrative practices of state agencies to mitigate those identified problems and identify potential legislative changes that may be appropriate to mitigate such problems. The amendment also adds an appropriations and allocations section.

FISCAL NOTE REQUIRED

(See attached)