

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
121st Legislature*

*Second Regular Session and
Second Special Session*

Bill Summaries

*Joint Standing Committee
on
Business, Research and Economic Development*

May 2004

Members:

Sen. Lynn Bromley, Chair

Sen. Christopher G. L. Hall

Sen. Kevin L. Shorey

Rep. Nancy B. Sullivan, Chair

Rep. Lillian LaFontaine O'Brien

Rep. Guy J. Duprey, Jr.

Rep. Edward Pellon

Rep. Nancy E. Smith

Rep. Susan M. Austin

Rep. Robert A. Berube

Rep. Lawrence E. Jacobsen

Rep. Stephen R. Beaudette

Rep. William T. Rogers, Jr.

Staff:

James Adolf, Legislative Analyst

Office of Policy and Legal Analysis

13 State House Station

Augusta, ME 04333

(207) 287-1670

Maine State Legislature



*Office Of Policy And Legal Analysis
Office Of Fiscal And Program Review*

*121st Maine Legislature
Second Regular Session and
Second Special Session*

Summary Of Legislation Before The Joint Standing Committees

Enclosed please find a summary of all bills, resolves, joint study orders, joint resolutions and Constitutional resolutions that were considered by the joint standing and joint 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 arranged alphabetically by committee name 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/billsumm.htm).

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
- P&S XXX..... Chapter # of enacted Private & Special Law
- PASSED..... Joint Order passed in both bodies
- 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 that the effective date for all non-emergency legislation enacted in the Second Regular Session (unless otherwise specified in a particular law) is April 30, 2004; and non-emergency legislation enacted in the Second Special Session is July 30, 2004. Four bills (LD's 1572, 1629, 1636 and 1637) that were considered at the First Special Session in August 2003 are also included in these summaries.

David C. Elliott, Director
Offices located in Room 215 of the Cross Office Building

Joint Standing Committee on Business, Research and Economic Development

LD 692

An Act To Protect Consumer Privacy Rights

PUBLIC 512

<u>Sponsor(s)</u>	<u>Committee Report</u>	<u>Amendments Adopted</u>
MCKEE	OTP-AM MAJ	H-627
TREAT	ONTP MIN	

LD 692 proposed to prohibit the denial of goods or services to an individual because the individual refuses to provide a social security number. The bill did not propose to prevent collection of social security numbers when provided for in current law.

Committee Amendment "B" (H-627), which was the majority report of the committee, proposed to restrict the ability of a person, corporation or other entity to deny goods or services to a consumer on the basis of that consumer's failure to provide a social security number, except when otherwise permitted or required by state or federal law or when the purpose of the request for the social security number is to permit the requesting party to obtain a credit report for a "permissible purpose" under the state Fair Credit Reporting Act or the United States Fair Credit Reporting Act. The amendment proposed to exempt banks and credit unions and their agents, subsidiaries and affiliates; licensed supervised lenders; companies engaged in the business of insurance; health care and pharmaceutical companies; companies that conduct necessary background checks; and companies that must ensure the identity of the individuals for whom they are providing a good or service.

Committee Amendment "A" (H-218), which was not adopted, proposed to clarify that social security numbers may be required for certain transactions under current federal or state law and exempt financial institutions from the bill's prohibition.

Enacted Law Summary

Public Law 2003, chapter 512 restricts the ability of a person, corporation or other entity to deny goods or services to a consumer on the basis of that consumer's failure to provide a social security number, except when otherwise permitted or required by state or federal law or when the purpose of the request for the social security number is to permit the requesting party to obtain a credit report for a "permissible purpose" under the state Fair Credit Reporting Act or the United States Fair Credit Reporting Act. The law exempts banks and credit unions and their agents, subsidiaries and affiliates; licensed supervised lenders; companies engaged in the business of insurance; health care and pharmaceutical companies; companies that conduct necessary background checks; and companies that must ensure the identity of the individuals for whom they are providing a good or service.

LD 1025

An Act To Adopt a Model Building Code

PUBLIC 580

<u>Sponsor(s)</u>	<u>Committee Report</u>	<u>Amendments Adopted</u>
HALL	OTP-AM MAJ	S-417
	ONTP MIN	

LD 1025 proposed to establish the Office of Building Codes within the Department of Professional and Financial Regulation to ensure the uniform code compliance and efficient oversight of construction of new residential and

Joint Standing Committee on Business, Research and Economic Development

commercial buildings in the State. The office would be responsible for providing testing and licensing standards for private building inspectors and establishing a fee schedule for building inspector services. The bill also proposed to require owners and developers of residential and commercial buildings to certify to the Office of Building Codes that a newly constructed building meets all applicable building and energy codes. It also proposed to require the department to submit a plan to the Joint Standing Committee on Business, Research and Economic Development prior to the Second Regular Session of the 121st Legislature to merge into the Office of Building Codes functions within existing agencies that are responsible for plumbing, electrical, fire and energy code inspections.

Committee Amendment "A" (S-417) proposed to replace the bill and create the Maine Model Building Code, which would be composed of the International Residential Code and the International Building Code. Adoption of the Maine Model Building Code would be voluntary on the part of towns, cities and municipalities, but a town, city or municipality would not be permitted to adopt a residential building code or nonresidential building code other than the Maine Model Building Code. The amendment also proposed to allow local amendments to the Maine Model Building Code, including adoption of portions of the code, and would not prohibit local adoption of building rehabilitation codes. The amendment proposed to specify that, to the extent that portions of the Maine Model Building Code would conflict with existing statewide codes and standards, those portions of the Maine Model Building Code would be inapplicable. The amendment also proposed to specify that no other codes or standards would be automatically adopted by reference as part of the Maine Model Building Code. Additionally, the amendment proposed to clarify that no new training of code enforcement officers by the Executive Department, State Planning Office would be required.

House Amendment "A" to Committee Amendment "A" (H-764), which was not adopted, proposed to allow municipalities the option of adopting the National Fire Protection Association building, construction and safety code, NFPA 5000, or the international codes.

Enacted Law Summary

Public Law 2003, chapter 580 establishes the Maine Model Building Code, which is composed of the International Residential Code and the International Building Code. Adoption of the Maine Model Building Code is voluntary on the part of towns, cities and municipalities, but a town, city or municipality may not elect to adopt a residential building code or nonresidential building code other than the Maine Model Building Code. The law also allows local amendments to the Maine Model Building Code, including adoption of portions of the code, and does not prohibit local adoption of building rehabilitation codes. The law specifies that, to the extent that portions of the Maine Model Building Code conflict with existing statewide codes and standards, those portions of the Maine Model Building Code are inapplicable. The law also specifies that no other codes or standards are automatically adopted by reference as part of the Maine Model Building Code. Finally, the law clarifies that no new training of code enforcement officers by the Executive Department, State Planning Office is required.