

# MAINE STATE LEGISLATURE

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*State Of Maine  
122nd Legislature*

*Second Regular Session*

*Bill Summaries*

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

*July 2006*

**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*

*Rep. Christopher Rector*

*Rep. Susan M. Austin*

*Rep. Robert A. Berube*

*Rep. Lawrence E. Jacobsen*

*Rep. John C. Robinson*

**Staff:**

*Natalie L. 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 and Legal Analysis Office of Fiscal and Program Review

### 122nd Maine Legislature Second Regular 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 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](http://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 (Pocket Veto).....	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 August 23, 2006.

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

benefits under the provisions of the laws governing Pine Tree Development Zones that determine eligibility of property based on a recent loss of population or jobs.

### *Enacted law summary*

Public Law 2005, chapter 669 establishes a waiver of the Pine Tree Development Zone labor market unemployment rate and wage requirements for property that is contained within an industrial site that has sustained a minimum loss of 500 employed workers during the 5-year period preceding the time of application for Pine Tree Development Zone benefits. The law requires that qualified businesses have a base level of employment equal to zero in order to be eligible for these benefits. In addition, the law requires that applications for a waiver under this section be received by August 1, 2010.

**LD 2099**                      **Resolve, To Provide Assistance to Heating Fuel Customers Who Enter into Prepaid Contracts That Are Not Honored**                      **ONTP**

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

LD 2099 was a concept draft pursuant to Joint Rule 208. This resolve proposed to provide a one-time means of financial assistance to customers who enter into prepaid heating fuel contracts that are not honored by the heating fuel supplier.

**LD 2101**                      **An Act Regarding Prepaid Contracts for Heating Fuel**                      **PUBLIC 632**

<u>Sponsor(s)</u>	<u>Committee Report</u>	<u>Amendments Adopted</u>
CANAVAN GAGNON	OTP-AM	H-1025

LD 2101, which was based on legislation introduced in Vermont, proposed to establish requirements for prepaid contracts for home heating oil, kerosene or liquefied petroleum gas. The bill proposed to prohibit a home heating oil, kerosene or liquefied petroleum gas dealer from entering into a prepaid contract to provide home heating oil, kerosene or liquefied petroleum gas with a consumer unless that dealer has obtained futures contracts, a surety bond or a letter of credit.

**Committee Amendment "A" (H-1025)** proposed to make a technical correction to the bill to provide a consistent reference to the type of security required for prepaid contracts.

### *Enacted law summary*

Public Law 2005, chapter 632 establishes requirements for prepaid contracts for home heating oil, kerosene or liquefied petroleum gas. The law prohibits home heating oil, kerosene or liquefied petroleum gas dealers from entering into prepaid contracts to provide home heating oil, kerosene or liquefied petroleum gas to consumers unless the dealer has obtained futures contracts, a surety bond or a letter of credit.