

MAINE STATE LEGISLATURE

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STATE OF MAINE
123RD LEGISLATURE
FIRST REGULAR SESSION



Summaries of bills and adopted amendments and laws enacted or finally passed during the First Regular Session of the 123rd Maine Legislature coming from the

**JOINT STANDING COMMITTEE ON BUSINESS, RESEARCH
AND ECONOMIC DEVELOPMENT**

July 2007

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STATE OF MAINE

123RD LEGISLATURE

FIRST REGULAR SESSION

LEGISLATIVE DIGEST OF BILL SUMMARIES AND ENACTED LAWS



This *Legislative Digest of Bill Summaries and Enacted Laws* summarizes all bills and adopted amendments and all laws enacted or finally passed during the First Regular Session of the 123rd Maine Legislature, which was in session from December 6, 2006 to June 21, 2007.

The *Digest* is arranged alphabetically by committee, and within each committee by LD number. The committee report(s), prime sponsor and lead co-sponsor(s), if designated, are listed below each bill title. All adopted amendments are summarized and listed by paper number. A subject index is included with each committee. The appendices include a summary of relevant session statistics, an index of all bills by LD number and an index of enacted laws by law type and chapter number.

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 (or Accepted ONTP report).....	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 non-emergency legislation enacted in the First Regular Session is **September 20, 2007**. The effective date for legislation enacted as an emergency measure is specified in the enacted law summary for those bills.

Joint Standing Committee on Business, Research and Economic Development

LD 1076 An Act To Encourage Expansion and Development of Maine Tourism

ONTP

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

This bill makes ongoing appropriations of \$3,400,000 for fiscal year 2007-08 and \$3,485,000 for fiscal year 2008-09 to the Department of Economic and Community Development, Office of Tourism for additional funding for advertising to promote tourism in the State, for contracting with the University of Maine System and Maine Community College System and others to provide education and training for managers, owners and staff of tourism-related businesses and organizations and for funding of the University of Maine System, Center for Tourism Research. This bill also:

1. Requires the Governor with the assistance of the Commissioner of Economic and Community Development and the Maine Tourism Commission to report biennially on tourism in the State;
2. Changes the name of the Tourism Marketing Promotion Fund to the Tourism Marketing and Development Fund and increases the fund's revenue from 5% to 8% of a portion of the sales and use tax and directs the fund to fund and annually transfer the yearly increase in its revenue to the Maine Tourism Development Fund created by this Act; and
3. Creates the Maine Tourism Development Fund to provide grants to various for-profit and nonprofit organizations and municipalities for tourism-related projects.

LD 1077 An Act To Create a Seasonal Vendor Sales Tax Revolving Loan Fund

ONTP

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

This bill is a concept draft pursuant to Joint Rule 208.

This bill proposes to establish a seasonal vendor loan fund in the Department of Economic and Community Development to provide loans to small seasonal retail vendors to assist them in maintaining business operations and remitting sales taxes to the State during periods that are not the peak season for the vendor. Loans would be repaid during the vendors' peak season with reasonable interest.

LD 1106 An Act To Recapitalize the Municipal Investment Trust Fund

**DIED ON
ADJOURNMENT**

<u>Sponsor(s)</u>	<u>Committee Report</u>	<u>Amendments Adopted</u>
HOBBS	OTP-AM	S-95

This bill requires the State Controller to transfer \$5,000,000 from the undedicated revenue of the General Fund to the Maine Municipal Bond Bank to capitalize the Municipal Investment Trust Fund no later than June 30, 2008.

Committee Amendment "A" (S-95)

Joint Standing Committee on Business, Research and Economic Development

This amendment incorporates a fiscal note.

LD 1115 An Act Concerning Licensure as a Master Well Driller or a Master Pump Installer

PUBLIC 207
EMERGENCY

<u>Sponsor(s)</u>	<u>Committee Report</u>	<u>Amendments Adopted</u>
RAYE	OTP-AM	S-127

This bill provides for an exception to the current licensure laws for a master well driller and a master pump installer.

Committee Amendment "A" (S-127)

Unlike the bill, which established an exception to the current licensure laws for a master well driller and a master pump installer, this amendment instead authorizes the Maine Water Well Commission to grant a waiver to those licensure laws to individuals with clearly defined levels of experience in situations in which the commission finds the presence of exigent circumstances.

Enacted Law Summary

Public Law 2007, chapter 207 authorizes the Maine Water Well Commission to grant a waiver to the master well driller and master pump installer licensure laws to individuals with clearly defined levels of experience in situations in which the commission finds the presence of exigent circumstances.

LD 1128 An Act To Require Electronic Monitoring of Secondary Sales Transactions

CARRIED OVER

<u>Sponsor(s)</u>	<u>Committee Report</u>	<u>Amendments Adopted</u>
SMITH N PERRY J		

This bill is a concept draft pursuant to Joint Rule 208.

This bill proposes to provide law enforcement with increased capability to solve property and financial crimes throughout the State and the New England region by amending the laws governing the licensing of pawnbrokers. This bill would require pawnbrokers to maintain electronic records of their transactions through the use of downloadable databases. This information would be made electronically accessible to law enforcement officers throughout New England by transmitting the data to the New England State Police Information Network, NESPIN, whose geographical region includes Connecticut, Maine, Massachusetts, New Hampshire, Rhode Island and Vermont.

This bill was carried over by H.P. 1369 to any special or regular session of the 123rd Legislature.

LD 1129 Resolve, Directing the Commissioner of Professional and Financial Regulation To Conduct a Sunrise Review of Oral Health Care Issues

RESOLVE 85

<u>Sponsor(s)</u>	<u>Committee Report</u>	<u>Amendments Adopted</u>
PENDLETON RAYE	OTP-AM MAJ ONTP MIN	H-362