

MAINE STATE LEGISLATURE

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STATE OF MAINE
118TH LEGISLATURE

FIRST REGULAR SESSION
AND
FIRST SPECIAL SESSION

BILL SUMMARIES
JOINT STANDING COMMITTEE
ON
BUSINESS AND ECONOMIC DEVELOPMENT

JULY 1997

MEMBERS:

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Sen. Anne M. Rand

Sen. Bruce W. MacKinnon

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ONE HUNDRED EIGHTEENTH LEGISLATURE
FIRST REGULAR AND FIRST SPECIAL SESSIONS

Summary Of Legislation Before The Joint Standing Committees
August 1997

We are pleased to provide this summary of bills that were considered by the 15 Joint Standing Committees of the Maine Legislature staffed by this office. The document is a compilation of bill summaries which describe each bill, committee amendments and other relevant amendments, as well as the final action taken on the bill. 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 handled by the joint standing committees. It is organized alphabetically by committees 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).

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:

<i>CARRIED OVER</i>	<i>Bill carried over to Second Regular Session</i>
<i>CON RES XXX</i>	<i>Chapter # of Constitutional Resolution passed by both Houses</i>
<i>CONF CMTE UNABLE TO AGREE</i>	<i>Committee of Conference unable to agree; bill died</i>
<i>DIED BETWEEN BODIES</i>	<i>House & Senate disagree; bill died</i>
<i>DIED IN CONCURRENCE</i>	<i>One body accepts ONTP report; the other indefinitely postpones the bill</i>
<i>DIED ON ADJOURNMENT</i>	<i>Action incomplete when session ended; bill died</i>
<i>EMERGENCY</i>	<i>Enacted law takes effect sooner than 90 days</i>
<i>FAILED EMERGENCY ENACTMENT/FINAL PASSAGE</i>	<i>Emergency bill failed to get 2/3 vote</i>
<i>FAILED ENACTMENT/FINAL PASSAGE</i>	<i>Bill failed to get majority vote</i>
<i>FAILED MANDATE ENACTMENT</i>	<i>Bill imposing local mandate failed to get 2/3 vote</i>
<i>INDEF PP</i>	<i>Bill Indefinitely Postponed</i>
<i>ONTP</i>	<i>Ought Not To Pass report accepted</i>
<i>OTP ND</i>	<i>Committee report Ought To Pass In New Draft</i>
<i>OTP ND/NT</i>	<i>Committee report Ought To Pass In New Draft/New Title</i>
<i>P&S XXX</i>	<i>Chapter # of enacted Private & Special Law</i>
<i>PUBLIC XXX</i>	<i>Chapter # of enacted Public Law</i>
<i>RESOLVE XXX</i>	<i>Chapter # of finally passed Resolve</i>
<i>UNSIGNED</i>	<i>Bill held by Governor</i>
<i>VETO SUSTAINED</i>	<i>Legislature failed to override Governor's Veto</i>

Please note the effective date for all non-emergency legislation enacted in the First Regular Session (unless otherwise specified in a particular law) is June 26, 1997 and September 19, 1997 for the First Special Session.

David E. Boulter, Director
 Offices Located in the State House, Rooms 101/107/135

Joint Standing Committee on Business and Economic Development

LD 32

An Act to Grandfather Ambulance Attendants from Additional Rulemaking

PUBLIC 26

<u>Sponsor(s)</u>	<u>Committee Report</u>	<u>Amendments Adopted</u>
LIBBY NASS	OTP-AM	S-15

LD 32 proposed to grandfather ambulance attendants under licensing provisions in effect on September 30, 1996. Ambulance attendants that were grandfathered would not be subject to rules affecting the licensing of ambulance attendants after September 1, 1996.

Committee Amendment "A" (S-15) proposed to change the retroactivity date for the grandfathering of ambulance attendants to August 30, 1996.

Enacted law summary

Public Law 1997, chapter 26 allows ambulance attendants to be grandfathered under licensing provisions in effect on August 30, 1996.

LD 114

An Act to Amend the Unclaimed Property Act

ONTP

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

LD 114 proposed to amend the Unclaimed Property Act as follows.

1. It proposed to reduce the general presumption of abandonment from five years to two years.
2. It proposed to specifically reduce for gift certificates and credit memos the presumption from five years to two years as well as require all issuers of gift certificates to keep records of purchasers and their addresses.
3. It proposed to require holders of abandoned property to report the names and addresses of last known owners whose property they retained with a value over \$200. Currently that requirement is attached for property with a value of \$25.
4. It proposed to raise the threshold for the ability to report, in the aggregate, held property with individual values of under \$200 rather than the current \$25.
5. It proposed to require the administrator to prove that unclaimed property is being held by a holder before the administrator may fine the holder or business for not reporting. Currently, the administrator fines people, even

if they do not hold abandoned property, for not reporting since the administrator presumes certain businesses must hold abandoned property.

6. It proposed to reduce from ten years to six years the length of time a business must maintain records. This time period would equal the general statute of limitations.

LD 165 **An Act to Clarify the Right of Campground Owners To Evict or Deny Accommodations to Problem Guests**

**PUBLIC 59
EMERGENCY**

<u>Sponsor(s)</u> KILKELLY		<u>Committee Report</u> OTP-AM		<u>Amendments Adopted</u> S-16
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LD 165 proposed to give the owner of a campground the authority to refuse or deny accommodations or eject guests from a campground for the following reasons:

1. If the person was unwilling or unable to pay;
2. If the person was a minor;
3. If the person brought in property that was dangerous to others;
4. If allowing a person to stay caused the campground owner to exceed the limit on occupants; or
5. If the person violated any rules or endangered others.

Committee Amendment "A" (S-16) proposed to permit a campground owner to deny accommodations to any person who violated any rule of the campground that was posted in a conspicuous manner at the guest registration desk and at the campground site. This amendment proposed to eliminate the requirement that the rules be posted at each campground site.

Enacted law summary

Public Law 1997, chapter 59 gives the owner of a campground the authority to refuse or deny accommodations or eject guests from a campground for the following reasons:

1. If the person is unwilling or unable to pay;
2. If the person is a minor;
3. If the person brings in property that is dangerous to others;
4. If allowing a person to stay causes the campground owner to exceed the limit on occupants; or
5. If the person violates any rules or endangers others. The rules of the campground must be posted in a conspicuous manner at the guest registration desk.

Chapter 59 was enacted as an emergency measure effective March 28, 1997.