

MAINE STATE LEGISLATURE

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**STATE OF MAINE
119TH LEGISLATURE**

FIRST REGULAR SESSION

**BILL SUMMARIES
JOINT STANDING COMMITTEE
ON
BUSINESS AND ECONOMIC DEVELOPMENT**

JULY 1999

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Sen. Susan W. Longley
Sen. Bruce W. MacKinnon*

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ONE HUNDRED NINETEENTH LEGISLATURE
FIRST REGULAR SESSION

Summary Of Legislation Before The Joint Standing and Select Committees
August 1999

We are pleased to provide this summary of all bills that were considered by the Joint Standing and 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 and select committees.

The document is organized for convenient reference to information on bills considered by the committees. It is organized 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:

CARRIED OVER.....Bill carried over to Second Regular Session
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
ENACTMENT FAILED..... Bill failed to get vote required for enactment or final passage
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
OTP ND/NT..... Committee report Ought To Pass In New Draft/New Title
P&S XXX..... Chapter # of enacted Private & Special Law
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 the effective date for all non-emergency legislation enacted in the First Regular Session (unless otherwise specified in a particular law) is September 18, 1999.

The Finance Authority of Maine would reserve \$300,000 for loans to quality child care projects. This amendment was not adopted.

House Amendment "A" to Committee Amendment "A" (H-588) proposed to change an annual reporting date to the last business day of the year. This amendment was not adopted.

The provisions of this bill and amendments were subsequently incorporated into LD 617 (Public Law 1999, chapter 401, Part 000).

LD 1070 **An Act to Expand the Bottle Law to Include Certain Beverage Containers** **ONTP**

<u>Sponsor(s)</u> LIBBY		<u>Committee Report</u> ONTP		<u>Amendments Adopted</u>
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LD 1070 proposed to subject to the bottle law rice milk, unflavored soymilk, milk and dairy-derived beverage containers that are 24 ounces in size or less.

LD 1083 **An Act to Amend the Real Estate Brokerage Law** **PUBLIC 129**

<u>Sponsor(s)</u> KONTOS O'NEAL		<u>Committee Report</u> OTP-AM		<u>Amendments Adopted</u> S-77
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LD 1083 proposed to amend the real estate brokerage laws. The proposed changes in the bill would:

1. Repeal the licensing requirement for time-share agents;
2. Repeal the right of a complainant to appeal a decision made by the director to dismiss or not to pursue a complaint;
3. Increase the number of continuing education clock hours from 12 to 15 for active licensees;
4. Increase in increments the total number of hours required to activate a license;
5. Require an examination for licensees activating after six years on the inactive status;
6. Repeal one method to qualify for licensure as an associate broker;
7. Repeal an outdated section requiring specific disclosure for mobile home sales with or without land; and
8. Clarify sections regarding the need for certain listings to be in writing, the duty to produce documents requested by the director, the need to license branch offices, the duty to notify the commission of material changes in the original license application and certain definitions used in the agency relationship subchapter.

This bill was submitted on behalf of the Department of Professional and Financial Regulation.

Committee Amendment "A" (S-77) proposed to clarify that the time frames for determining the requirements to reinstate an inactive real estate broker license begin running on the effective date of the bill. This amendment also added a fiscal note to the bill.

Enacted law summary

Public Law 1999, chapter 129 amended the Real Estate Brokerage License Act in the following ways:

1. It repeals the licensing requirement for time-share agents;
2. It exempts time-share transactions from the Act;
3. It repeals the right of a complainant to appeal a decision made by the director to dismiss a complaint or to refuse to pursue an investigation of an alleged violation of the Act;
4. It changes one of the reasons for disciplinary sanctions from “failure to produce documents concerning any transaction under investigation” to “failure to produce documents concerning any matter under investigation”;
5. It repeals the exemption that exempts a licensee’s place of residence from the requirement to be licensed as a branch office;
6. It clarifies the types of listings that must be in writing;
7. It clarifies the licensee’s responsibility to notify the Commission of any material change in the licensee’s original application;
8. It requires a licensee who has held an inactive license for 6 years or more to pass an examination to activate the license. For licensees who have held an inactive license for under 6 years, the number of clock hours of continuing education required to activate the license are increased. The timeframes for determining the requirements for reinstatement of a license to active status begin running on the effective date of Chapter 129;
9. It increases the number of continuing education clock hours from 12 to 15 for active licensees; and

10. It eliminates one of the current methods to qualify for licensure as an associate broker.

See also LDs 11, 1176, 1450 and 2130.

LD 1094

An Act to Promote Economic Development in Northern Maine

CARRIED OVER

<u>Sponsor(s)</u> KNEELAND PARADIS	<u>Committee Report</u>	<u>Amendments Adopted</u>
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LD 1094 is being carried over to the Second Regular Session of the 119th Legislature.

The bill is a concept draft pursuant to Joint Rule 208. The bill proposes to implement legislation to improve economic development opportunities in northern Maine. It proposes to:

1. Improve the infrastructure;
2. Enhance existing businesses and encourage job growth;
3. Attract high-tech and high-wage jobs; and