

# 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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**Staff:**

*Susan Johannesman, Legislative Analyst*

*Office of Policy and Legal Analysis  
Room 101/107/135, 13 State House Station  
Augusta, ME 04333  
(207)287-1670*



**Maine State Legislature  
OFFICE OF POLICY AND LEGAL ANALYSIS**

13 State House Station, Augusta, Maine 04333-0013  
Telephone: (207) 287-1670  
Fax: (207) 287-1275

**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](http://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.

**LD 1948****An Act Relating to Unfair Competition Between Nonprofit Organizations and Small Businesses****ONTP**

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

LD 1948 proposed to prevent nonprofit organizations from using their nonprofit status to compete with small businesses with 25 or fewer employees. Nonprofit organizations would have been prevented from providing goods or services to the general public at a price that is at least 15% less than the price at which those goods or services are available through a small business. A violation of these provisions would have resulted in the loss of tax exemptions and may have subjected the violator to a civil penalty of \$5,000.

**LD 1962****An Act to Establish the State Revolving Loan Fund for Small Business Initiatives****CARRIED OVER**

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

LD 1962 is being carried over to the Second Regular Session of the 119th Legislature. The bill proposes to establish the State Revolving Loan Fund for Small Business Initiatives within the Department of Economic and Community Development. The fund will be established initially as a pilot project in Washington County and Hancock County to be administered by the Eastern Maine Development Corporation. The bill proposes to appropriate \$2,100,000 from the General Fund as initial funding, divided evenly between the counties. Approximately \$100,000 of the initial funding represents anticipated administration charges for the first year to cover the cost of lending. The bill proposes to establish a maximum loan of \$175,000 that may be used for capital expenditures and training expenses. It also establishes reporting deadlines and includes a repeal provision.

**LD 1966****An Act to Require Disclosures in Connection with Transfers of Residential Property****PUBLIC 476**

<u>Sponsor(s)</u>	<u>Committee Report</u>	<u>Amendments Adopted</u>
CAMERON DAGGETT	OTP-AM	H-712

LD 1966 proposed to require the owner of real estate consisting of one to four dwelling units to make certain disclosures to prospective buyers of the property similar to what is currently required of a real estate broker for the seller. The bill proposed to require the disclosure of any material defects in the property, the type of water system used, the type of insulation and whether there are or were any hazardous materials on the property. If an owner failed to make the required disclosures, the purchase contract could be rescinded by the purchaser.

**Committee Amendment “A” (H-712)** proposed to provide that the disclosure requirements for residential real property transactions are applicable when the transaction is without the assistance of a person licensed to practice real estate brokerage. The amendment changed the term “material defect” to “known defect” and changed the term “owner” to “seller.” The amendment added corrective deeds to the list of exemptions from the disclosure requirements. It also deleted specific language of notices that the bill required the owner to give to the purchaser. The amendment also deleted the specific delivery requirements in the bill and it deleted the one-year statute of limitation for action for violations.