

# MAINE STATE LEGISLATURE

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*State Of Maine  
120th Legislature*

*First Regular Session*

*Bill Summaries*

*Joint Standing Committee  
on  
Business and Economic Development*

*August 2001*

**Members:**

*Sen. Kevin Shorey, Chair*

*Sen. Lynn Bromley*

*Sen. Ed Youngblood*

*Rep. John Richardson, Chair*

*Rep. Bruce S. Bryant*

*Rep. Susan Dorr*

*Rep. Paul R. Hatch*

*Rep. Marc Michaud*

*Rep. Jonathan Thomas*

*Rep. Harold A. Clough*

*Rep. Thomas W. Murphy, Jr.*

*Rep. Brian M. Duprey*

*Rep. John R. Morrison*

**Staff:**

*Christopher J. Spruce, Legislative Analyst*

*Curtis C. Bentley, 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**

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

**120th Legislature**  
**First Regular Session**

**Summary Of Legislation Before The Joint Standing Committees**  
**August 2001**

Enclosed please find a summary of all bills, resolves, joint study orders, joint resolutions and Constitutional resolutions that were considered by the joint standing 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 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*  
*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*  
*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 21, 2001**.

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

# Joint Standing Committee on Business and Economic Development

## *Enacted law summary*

Public Law 2001, chapter 215 changes the Plumbers' Examining Board's authority to adopt a state plumbing code by designating the adoption of a new plumbing code as a major substantive rule that must receive the affirmative action of the Legislature before adoption. This Public Law also provides that all subsequent technical changes to the plumbing code are routine technical rules.

Public Law 2001, chapter 215 was enacted as an emergency measure effective May 18, 2001.

### **LD 258                      An Act to Establish Returnable Tobacco Products and to Create the                      ONTP Returnable Tobacco Products Fund**

<u>Sponsor(s)</u>	<u>Committee Report</u>	<u>Amendments Adopted</u>
BROOKS	ONTP      MAJ OTP-AM    MIN	

LD 258 proposed to establish a system of deposit and redemption for used and discarded cigarette butts, referred to as returnable tobacco products, and to create the Returnable Tobacco Products Fund, a dedicated fund for use in the payment of deposits and redemptions and to hold funds not required for either purpose.

**Committee Amendment "A" (H-205)**, which was the minority report, proposed to add an appropriation section, an allocation section and a fiscal note to the bill.

### **LD 270                      An Act to Create a Resource within State Government to Protect                      INDEF PP the Privacy of Personal Information**

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

LD 270, which was not referred to a committee but was suggested for reference to the Joint Standing Committee on Business and Economic Development, was a concept draft pursuant to Joint Rule 208 and was a recommendation of the Blue Ribbon Commission to Establish a Comprehensive Internet Policy. The concept draft proposed that a person or persons within State Government protect the privacy of personal data about the people of Maine. The person would not have regulatory authority, but would be charged with the following duties:

1. Conducting research and studies, gathering facts and evaluating procedures regarding the treatment of personal data by public and private entities;
2. Investigating complaints about information confidentiality, making recommendations for policy, rule and legislative changes, where appropriate, and making referrals to, and cooperating with, enforcement entities;

## Joint Standing Committee on Business and Economic Development

3. Advising, consulting and assisting the legislative and executive branches of government on development of policies and procedures related to confidential personal data;
4. Coordinating communication and cooperation among components of State Government; and
5. Educating the public about the status of personal data and how to protect privacy.

The person performing this function would be in a position that, to the greatest extent possible, is not subject to political or economic pressure. This person would have authority to maintain the confidentiality of information in that person's possession.

**LD 310**                      **An Act to Require Bonding of Building Contractors**                      **ONTP**

<u>Sponsor(s)</u> COWGER CATHCART	<u>Committee Report</u> ONTP	<u>Amendments Adopted</u>
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LD 310 proposed to require home construction contractors to be bonded for an amount equal to prepayments made by a homeowner or lessee.

**LD 322**                      **An Act to Amend the Motor Vehicle Franchise Laws**                      **ONTP**

<u>Sponsor(s)</u> LAFOUNTAIN	<u>Committee Report</u> ONTP	<u>Amendments Adopted</u>
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LD 322 proposed to provide that a motor vehicle franchisor may not recover the costs incurred in reimbursing a franchisee for warranty work it performs that is required or permitted by the franchisor.

**LD 324**                      **An Act Regarding the Rescission Period in the Purchase of Time Shares**                      **ONTP**

<u>Sponsor(s)</u> DAVIS P JONES	<u>Committee Report</u> ONTP      MAJ OTP-AM    MIN	<u>Amendments Adopted</u>
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LD 324 proposed to reduce the time period in which the purchaser or potential purchaser of a time-share unit from a developer may cancel the contract or conveyance. This bill proposed to reduce the current 10-day cancellation period to 3 days. As proposed, the developer would not be required to return the full amount of the deposit if the purchaser or potential purchaser cancels after the 3-day period has expired.