

# 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*

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**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

**LD 1669**

**An Act to Increase Business Opportunities at the Port of Eastport**

**DIED ON  
ADJOURNMENT**

<u>Sponsor(s)</u> SHOREY GOODWIN	<u>Committee Report</u> OTP-AM	<u>Amendments Adopted</u> S-58
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LD 1669 proposed to establish a marketing program within the Maine Port Authority to market the State's port terminal facilities. The bill proposed a General Fund appropriation of \$75,000 in each of fiscal years 2001-02 and 2002-03 to carry out the purposes of the Act. The bill, as amended by Committee Amendment "A," was not removed by the Senate from its Special Appropriations Table and died on adjournment of the First Regular Session. However, funds for the program were included in the Part 2 budget (LD 855, Public Law 2001, chapter 439, Part LLLL).

**Committee Amendment "A" (S-58)** proposed to add a fiscal note to the bill.

**LD 1672**

**An Act to Create the Washington County Development Authority**

**CARRIED OVER**

<u>Sponsor(s)</u> SHOREY GOODWIN	<u>Committee Report</u>	<u>Amendments Adopted</u>
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LD 1672 proposed to create the Washington County Development Authority for the purposes of enhancing economic development within the county, strengthening the financial condition of local governments within the county while combining resources and sharing costs for meeting regional economic development needs and challenges, and promoting and developing infrastructure and programs for employment and economic development. The bill proposed to take effect when enacted by the Legislature only for the purpose of permitting its submission to the legal voters of the cities, towns and plantations of Washington County at regular or special town and plantation meetings and city elections called and held for the purpose prior to December 31, 2001. Under the proposed bill, the municipalities of the county would have to vote to decide whether or not to become participating members of the authority. The Joint Standing Committee on Business and Economic Development voted to carry over the bill to the Second Regular Session.

**LD 1674**

**An Act to Allow Boards of Professions to Grant Hardship  
Deferments**

**PUBLIC 285**

<u>Sponsor(s)</u> POVICH	<u>Committee Report</u> OTP-AM MAJ ONTP MIN	<u>Amendments Adopted</u> H-325
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## Joint Standing Committee on Business and Economic Development

LD 1674 proposed to require a licensing authority under the jurisdiction of the Department of Professional and Financial Regulation to grant a hardship waiver for a professional who fails to meet continuing education requirements due to a death or serious illness in the person's family.

**Committee Amendment "A" (H-325)** proposed to allow a licensing authority under the jurisdiction of the Department of Professional and Financial Regulation to grant hardship deferments for continuing education requirements.

### *Enacted law summary*

Public Law 2001, chapter 285 allows a licensing authority under the jurisdiction of the Department of Professional and Financial Regulation to grant hardship deferments for continuing education requirements.

**LD 1677**                      **An Act to Enhance Tourism Promotion and Increase State Revenues**                      **INDEF PP**

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

LD 1677 proposed to establish the Tourism Marketing Promotion Fund that would be funded by a transfer of 5% of the tax revenue collected from sales tax imposed on meals and lodging. The proposed transfer would not affect the amount transferred for state-municipal revenue sharing. Under the bill, the Maine Tourism Commission must approve the annual budget of the fund, which, beginning in fiscal year 2002-03, would fund the entire budget of the Office of Tourism program. The bill also proposed to equalize the tax on all prepared food or meals at the 7% tax that is currently assessed on meals sold in establishments that are licensed for on-premises consumption of liquor pursuant to the Maine Revised Statutes, Title 28-A, chapter 43. Currently, meals sold at establishments not licensed for the on-premises consumption of liquor are taxed at 5%.

**Committee Amendment "A" (H-557)**, which was the majority report of the Joint Standing Committee on Business and Economic Development and was not adopted, proposed to dedicate 7.75% of the 7% tax on meals and lodging to generate approximately the same amount of revenue for tourism promotion as the original bill. The amendment also proposed to strike from the bill a proposed increase from 5% to 7% on meals sold at establishments not licensed for on-premises consumption of liquor. It also proposed to strike from the original bill the role of oversight of the Tourism Marketing Promotion Fund by the Maine Tourism Commission.

**Committee Amendment "B" (H-558)**, which was the minority report of the Joint Standing Committee on Business and Economic Development and was not adopted, proposed to strike from the original bill the role of oversight of the Tourism Marketing Promotion Fund by the Maine Tourism Commission.

The Tourism Marketing Promotion Fund was established, along with a dedicated revenue funding mechanism, in the Part 2 budget (LD 855, Public Law 2001, chapter 439, Part UUUU).