

MAINE STATE LEGISLATURE

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*State Of Maine
120th Legislature*

Second Regular Session

Bill Summaries

*Joint Standing Committee
on
Business and Economic Development*

May 2002

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120th Legislature
Second Regular Session

Summary Of Legislation Before The Joint Standing Committees
May 2002

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 arranged alphabetically by committee name 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:

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
PASSED.....	Joint Order passed in both bodies
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 Second Regular Session (unless otherwise specified in a particular law) is July 25, 2002.

Patrick T. Norton, Interim Director
Offices located in Room 215 of the Cross Office Building

Joint Standing Committee on Business and Economic Development

LD 2144

**Resolve, Regarding Legislative Review of Chapter 220:
Methodology for Identification of Regional Service Centers, a
Major Substantive Rule of the Executive Department, State
Planning Office**

RESOLVE 106

<u>Sponsor(s)</u>	<u>Committee Report</u>	<u>Amendments Adopted</u>
	OTP MAJ	S-515 SHOREY
	ONTP MIN	

LD 2144 proposed legislative review of Chapter 220: Methodology for Identification of Regional Service Centers, a major substantive rule of the Executive Department, State Planning Office. The provisionally adopted rules proposed to be reviewed under this resolve were adopted pursuant to Public Laws of 2001, chapter 90, section 1. LD 669, which was enacted as amended by committee amendment "A" in the First Regular Session of the 120th Legislature, required the State Planning Office to adopt major substantive rules pursuant Maine Revised Statutes, Title 5, chapter 375, subchapter II-A to establish a methodology for identifying municipalities, and, under certain circumstances, parts of municipalities, that serve as regional service centers and are identified as service center communities.

Senate Amendment "A" (S-515), which was adopted, proposed to strike the emergency preamble and the emergency clause from the resolve.

Enacted law summary

Resolve 2001, chapter 106 provides for legislative review of Chapter 220: Methodology for Identification of Regional Service Centers, a major substantive rule of the Executive Department, State Planning Office. The provisionally adopted rules reviewed under this resolve were adopted pursuant to Public Laws of 2001, chapter 90, section 1. The rules adopted establish a methodology for identifying municipalities, and, under certain circumstances, parts of municipalities, that serve as regional service centers and are identified as service center communities.

LD 2184

**An Act to Implement the Recommendations of the Returnable
Container Handling and Collection Study**

PUBLIC 661

<u>Sponsor(s)</u>	<u>Committee Report</u>	<u>Amendments Adopted</u>
		S-539 GOLDTHWAIT

LD 2184 proposed to implement the recommendations of the Committee to Study Reimbursement Rates for Maine's Bottle Redemption Businesses and Other Issues Related to the Handling and Collection of Returnable Containers created pursuant to Joint Order 2001, H.P. 1389. Among other things, the bill proposed to require the following:

1. That the label of each type of beverage subject to the returnable container deposit law be registered with the Department of Agriculture, Food and Rural Resources;
2. That the department to maintain a register of current beverage container labels and to make that information available to redemption centers;

Joint Standing Committee on Business and Economic Development

3. That redemption centers be authorized to refuse to accept empty containers whose labels are not registered;
4. That a license from the department be required to initiate deposits, operate a redemption center or act as a 3rd-party collection agent under the law;
5. That the department be authorized to establish by rule fees for licensing and registration and that the fees be based on the department's costs in implementing the law; and
6. That the department provide education on the requirements of the law as part of its licensing and inspection responsibilities.

The bill also proposed to establish a dedicated fund to pay the costs of administration and enforcement of the law by the department. The fund would consist of licensing and registration fees charged by the department. Finally, the bill proposed to reestablish the Committee to Study Reimbursement Rates for Maine's Bottle Redemption Businesses and Other Issues Related to the Handling and Collection of Returnable Containers to examine ways to improve the efficiency of the law through redesign of the bottle redemption system, establishment of cooperative agreements, introduction of technological improvements or other methods. It also proposed to add 2 additional members to the committee.

Senate Amendment "A" (S-539), which was adopted, proposed to make the following changes to the bill: it proposed to limit the committee to 4 meetings; to make provision for reimbursement of public members; to change the reporting date from December 1, 2002 to November 6, 2002; and to strike the General Fund appropriation.

Enacted law summary

Public Law 2001, chapter 661 implements the recommendations of the Committee to Study Reimbursement Rates for Maine's Bottle Redemption Businesses and Other Issues Related to the Handling and Collection of Returnable Containers created pursuant to Joint Order 2001, H.P. 1389. Among other things, the law requires the label of each type of beverage subject to the returnable container deposit law to be registered with the Department of Agriculture, Food and Rural Resources, requires the department to maintain a register of current beverage container labels and to make that information available to redemption centers. The law also requires a license from the department to initiate deposits, operate a redemption center or act as a 3rd-party collection agent under the law. It also establishes a dedicated fund to pay the costs of administration and enforcement of the law by the department with the fund consisting of licensing and registration fees charged by the department. Finally, the law reestablishes the Committee to Study Reimbursement Rates for Maine's Bottle Redemption Businesses and Other Issues Related to the Handling and Collection of Returnable Containers to examine ways to improve the efficiency of the law through redesign of the bottle redemption system, establishment of cooperative agreements, introduction of technological improvements or other methods. It also adds 2 additional members to the committee.

LD 2189 **An Act to Authorize a General Fund Bond Issue in the Amount of \$15,000,000 for the Construction of a Civic Center and Auditorium in Eastern Maine** **DIED IN CONCURRENCE**

<u>Sponsor(s)</u>	<u>Committee Report</u>	<u>Amendments Adopted</u>
	OTP MAJ ONTP MIN	S-489