

# MAINE STATE LEGISLATURE

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*State Of Maine  
121st Legislature*

*First Regular Session*

*Bill Summaries*

*Joint Standing Committee  
on  
Business, Research and Economic Development*

*July 2003*

**Members:**

*Sen. Lynn Bromley, Chair*

*Sen. Christopher G. L. Hall*

*Sen. Kevin L. Shorey*

*Rep. Nancy B. Sullivan, Chair*

*Rep. Lillian LaFontaine O'Brien*

*Rep. Guy J. Duprey, Jr.*

*Rep. Edward Pellon*

*Rep. Nancy E. Smith*

*Rep. Susan M. Austin*

*Rep. Robert A. Berube*

*Rep. Lawrence E. Jacobsen*

*Rep. Christopher Rector*

*Rep. William T. Rogers, Jr.*

**Staff:**

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*13 State House Station*

*Augusta, ME 04333*

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# Maine State Legislature



## Office Of Policy And Legal Analysis Office Of Fiscal And Program Review

### 121st Maine Legislature First Regular Session

#### Summary Of Legislation Before The Joint Standing Committees

Enclosed please find a summary of all bills, resolves, joint study orders, joint resolutions and Constitutional resolutions that were considered by the joint standing and joint 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](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:

<i>CARRIED OVER PURSUANT TO HP 1212</i> .....	<i>Bills carried over to the 2<sup>nd</sup> Regular Session</i>
<i>CON RES XXX</i> .....	<i>Chapter # of Constitutional Resolution passed by both Houses</i>
<i>CONF CMTE UNABLE TO AGREE</i> .....	<i>Committee of Conference unable to agree; bill died</i>
<i>DIED BETWEEN BODIES</i> .....	<i>House &amp; Senate disagree; bill died</i>
<i>DIED IN CONCURRENCE</i> .....	<i>One body accepts ONTP report; the other indefinitely postpones the bill</i>
<i>DIED ON ADJOURNMENT</i> .....	<i>Action incomplete when session ended; bill died</i>
<i>EMERGENCY</i> .....	<i>Enacted law takes effect sooner than 90 days</i>
<i>FAILED EMERGENCY ENACTMENT/FINAL PASSAGE</i> .....	<i>Emergency bill failed to get 2/3 vote</i>
<i>FAILED ENACTMENT/FINAL PASSAGE</i> .....	<i>Bill failed to get majority vote</i>
<i>FAILED MANDATE ENACTMENT</i> .....	<i>Bill imposing local mandate failed to get 2/3 vote</i>
<i>NOT PROPERLY BEFORE THE BODY</i> .....	<i>Ruled out of order by the presiding officers; bill died</i>
<i>INDEF PP</i> .....	<i>Bill Indefinitely Postponed</i>
<i>ONTP</i> .....	<i>Ought Not To Pass report accepted</i>
<i>OTP-ND</i> .....	<i>Committee report Ought To Pass In New Draft</i>
<i>P&amp;S XXX</i> .....	<i>Chapter # of enacted Private &amp; Special Law</i>
<i>PASSED</i> .....	<i>Joint Order passed in both bodies</i>
<i>PUBLIC XXX</i> .....	<i>Chapter # of enacted Public Law</i>
<i>RESOLVE XXX</i> .....	<i>Chapter # of finally passed Resolve</i>
<i>UNSIGNED</i> .....	<i>Bill held by Governor</i>
<i>VETO SUSTAINED</i> .....	<i>Legislature failed to override Governor's Veto</i>

Please note that the effective date for all non-emergency legislation enacted in the First Regular Session (unless otherwise specified in a particular law) is September 13, 2003.

**David C. Elliott, Director**  
Offices located in Room 215 of the Cross Office Building

*Joint Standing Committee on Business, Research and Economic Development*

**LD 826**                      **Resolve, To Allow Certain State Employees To Be Voting Board Members of Project SHARE**                      **RESOLVE 8**

<u>Sponsor(s)</u>	<u>Committee Report</u>	<u>Amendments Adopted</u>
DUNLAP EDMONDS	OTP-AM	H-114

LD 826 proposed to allow an employee of the Department of Environmental Protection, Department of Conservation or the Maine Atlantic Salmon Commission to serve on the steering committee of Project SHARE.

**Committee Amendment "A" (H-114)** proposed to replace the resolve. The amendment proposed to allow an employee of the Department of Environmental Protection, the Department of Conservation, the Department of Marine Resources, the Department of Agriculture, Food and Rural Resources or the Department of Inland Fisheries and Wildlife to serve on behalf of the State as a member of the board of directors of the nonprofit corporation known as "Project SHARE," as long as the employee is elected to serve on the board pursuant to the bylaws of the corporation.

*Enacted Law Summary*

Resolve 2003, chapter 8 allows an employee of the Department of Environmental Protection, Department of Conservation or the Maine Atlantic Salmon Commission to serve on the steering committee of Project SHARE.

**LD 833**                      **An Act To Facilitate Economic Development in Maine**                      **ONTP**

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

LD 833 proposed to require agencies that issue licenses to approve, deny, conditionally approve or conditionally deny an application for a license within 7 days of receiving the application, if the decision does not require an adjudicatory proceeding.

**LD 847**                      **An Act To Offer Zero-interest Loans to Employers Providing Bicycle Facilities**                      **DIED ON ADJOURNMENT**

<u>Sponsor(s)</u>	<u>Committee Report</u>	<u>Amendments Adopted</u>
SUSLOVIC BROMLEY	OTP-AM	H-181

LD 847 proposed to create the Bicycling Assistance Loan Program within the Finance Authority of Maine to provide zero-interest loans to qualifying businesses for the purchase and installation of bicycle racks, showers and changing rooms for its employees. The bill proposed to require the authority to administer the loans through approved lenders and to charge the costs of the interest subsidy to the Fund for a Healthy Maine, contingent upon the availability of funds in the Fund for a Healthy Maine.

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The bill also proposed to require the Finance Authority of Maine to adopt major substantive rules to implement the loan program, including provisions that specify the criteria for determining qualifying lenders, eligibility requirements for participation in the program by businesses, the maximum amount of loan or interest subsidy permitted under the program and the maximum term of loans allowed under the program.

**Committee Amendment "A" (H-181)** proposed to change the sources of funding for the Bicycling Assistance Loan Fund in the Finance Authority of Maine to allow it to be capitalized by grants, donations or other money received by the authority and any federal funds or other revenues allocated by the Legislature to the fund for those purposes. The amendment proposed that money in that fund be used to pay for the Finance Authority of Maine's costs to establish and administer the Bicycling Assistance Loan Program and for the loan interest rate subsidies necessary to provide zero-interest loans to qualifying businesses.

The amendment proposed to prohibit the authority from incurring any eligible costs for program implementation or loan subsidies unless the authority first determines that sufficient funds exist in the fund or the Fund for a Healthy Maine to pay those costs, except that the authority may not charge more than \$50,000 in eligible costs to the Fund for a Healthy Maine.

**LD 848**                      **An Act To Establish a Circuit Breaker Program for Fuel Assistance**                      **ONTP**

<u>Sponsor(s)</u> CRESSEY		<u>Committee Report</u> ONTP		<u>Amendments Adopted</u>
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LD 848 proposed to create the Maine Heating Fuel Assistance Program to provide reimbursement for heating fuel costs to taxpayers. Under the proposed bill, the Maine Heating Fuel Assistance Program would have been administered by the Maine State Housing Authority.

**LD 887**                      **An Act To Amend the Maine "Lemon Law"**                      **PUBLIC 337**

<u>Sponsor(s)</u> MCKEE TREAT		<u>Committee Report</u> OTP-AM		<u>Amendments Adopted</u> H-382
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LD 887 proposed to eliminate the laws that allow automobile manufacturers or their agents or dealers to deduct an allowance for mileage from the amount refunded to an automobile owner who qualifies for a refund under the State's "lemon law."

The bill also proposed to increase from one to five the number of arbitrators that must be involved in a "lemon law" arbitration process and to require that those arbitrators include a new car dealer, someone experienced in automobile mechanics and three public members.

The bill also proposed to add a provision to the criteria that establish when an automobile qualifies under the "lemon law" that states that an automobile qualifies if it has multiple problems that have not been successfully repaired after the vehicle has been out of service for 15 or more business days within the warranty term.