

# 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:**

*James Adolf, Legislative Analyst*

*Patrick Norton, Deputy Director*

*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 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 1240**

**An Act To Amend the Regional Economic Development Revolving Loan Program**

**PUBLIC 195  
EMERGENCY**

<u>Sponsor(s)</u>	<u>Committee Report</u>	<u>Amendments Adopted</u>
KAELIN STANLEY	OTP	H-198 KAELIN

LD 1240 proposed to amend the requirement of the Regional Economic Development Revolving Loan Program that borrowers obtaining loans of \$50,000 or less must receive a 2-to-one match of the funds borrowed from the program, to reduce the required match to a one-to-one match.

**House Amendment "A" (H-198)** proposed to add an emergency preamble and emergency clause to the bill.

***Enacted Law Summary***

Public Law 2003, chapter 195 amends the requirement of the Regional Economic Development Revolving Loan Program that borrowers obtaining loans of \$50,000 or less must receive a 2-to-one match of the funds borrowed from the program, reducing the required match to a one-to-one match.

Public Law 2003, chapter 195 was enacted as an emergency measure effective May 16, 2003.

**LD 1243**

**An Act To Exclude Inclined Stairway Chairlifts from the Definition of Elevator**

**PUBLIC 292**

<u>Sponsor(s)</u>	<u>Committee Report</u>	<u>Amendments Adopted</u>
ANNIS	OTP-AM	H-360

LD 1243 proposed to remove inclined stairway chairlifts from the definition of "elevator," to establish an annual inspection fee cap of \$50 for such chairlifts and to direct the Board of Elevator and Tramway Safety to propose any changes to the laws governing the installation, operation, maintenance and use of such chairlifts necessitated by the exclusion of inclined stairway chairlifts from the definition of "elevator."

**Committee Amendment "A" (H-360)** proposed to exempt an inclined stairway chairlift from the definition of "elevator." The amendment proposed to replace the bill's definition of "inclined stairway chairlift" with new language that defines the device as a mechanized chair apparatus running on a track or rail along the side of a staircase. The amendment also proposed to remove these chairlifts from regulation and oversight by the Board of Elevator and Tramway Safety altogether.

The committee also directed that a letter be sent to the Joint Standing Committee on Health and Human Services requesting that chairlifts be included in that committee's review of the Department of Human Services' rules concerning assisted housing programs.

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

**Enacted Law Summary**

Public Law 2003, chapter 292 defines "inclined stairway chairlift" as a mechanized chair apparatus running on a track or rail along the side of a staircase, and removes inclined stairway chairlifts from regulation and oversight by the Board of Elevator and Tramway Safety by removing these chairlifts from the definition of "elevator."

**LD 1257                    An Act To Increase Returnable Beverage Container Redemption Rates                    CARRIED OVER**

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

LD 1257 proposes to do the following:

1. Raise from 5¢ to 7¢ the deposit on refillable and nonrefillable beverage containers, except wine and spirits containers;
2. Raise from 15¢ to 20¢ the deposit on wine and spirits containers;
3. Specify that 1/2 of 1¢ of each deposit must be placed in the Beverage Container Enforcement Fund, which is used to fund the administrative and enforcement responsibilities under the bottle return laws of the Department of Agriculture, Food and Rural Resources; and
4. Increase the handling fee that initiators of deposit must pay to dealers or redemption centers from 3¢ to 4.5¢ and 5¢, depending on the type of beverage container.

**LD 1278                    An Act To Amend the Maine Health Security Act as It Relates to the Reporting of Registered Nurses by Health Care Providers                    ONTP**

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

LD 1278 proposed to amend the Maine Health Security Act as it relates to the reporting of registered nurses by health care providers and health care entities to the State Board of Nursing to provide that the State Board of Nursing should adopt rules for mandatory reporting of registered nurses.

**LD 1294                    An Act To Amend the Motor Vehicle Franchise Law                    PUBLIC 356**

<u>Sponsor(s)</u>	<u>Committee Report</u>	<u>Amendments Adopted</u>
LAFOUNTAIN O'NEIL	OTP-AM	S-184

LD 1294 proposed to amend the laws concerning regulation of business practices between motor vehicle manufacturers, distributors and dealers.